

EXHIBIT C
Part 6 of 6

BPT REPRESENTATIVE

OFFENSE (CODE SECTION AND TITLE)

CASE NUMBER

COUNT NUMBER

SAC66618

2

DATE RECEIVED CDC

MIN. ELIG. PAROLE DATE

EARLIEST MIN. ELIG. PAROLE DATE

6-13-84

3-2-98

INITIAL HRG. SCHEDULED

PERIOD COVERED BY THIS HEARING

PRIOR DOCUMENTATION HEARING DATES

10-94

5-26-87 TO PRESENT

5-26-87

CDC 115 CHRONOS

LAUDATORY CHRONOS

 DISCIPLINARY FREE

☐ MAJOR DISCIPLINARY (SERIOUS)☐ MINOR DISCIPLINARY (ADMIN.)

DATE _____

CIRCUMSTANCES

CDC 128 CHRONOS (NEGATIVE)

CHRONOS — WORK, EDUCATIONAL, VOCATIONAL, ETC.

DATE _____

CIRCUMSTANCES

DATE _____

CIRCUMSTANCES

INSTRUCTIONS TO CDC STAFF

DOCUMENTS STILL REQUIRED:


PSYCHIATRIC:

REFER TO CATEGORY

COMPLETE PRIOR TO

PLACE ON APPROPRIATE:

LIFE PRISONER DOCUMENTATION CALENDAR

 LIFE PRISONER PAROLE CONSIDERATION HEARING CALENDAR

OTHER

NAME
CRONK, DONALD

CDC NUMBER
C-87286

INSTITUTION
-SAN QUENTIN

CALENDAR.
DOC

HEARING DATE
6-10-93

AFTER REVIEWING WITH THE PRISONER THE FACTORS WHICH MIGHT BE OF CONCERN AT HIS/HER INITIAL PAROLE HEARING, THE PANEL MADE THE FOLLOWING EVALUATIONS AND FUTURE RECOMMENDATIONS:

RE: VOCATIONAL TRAINING

Completed Voc. Electives 1988.

RE: ACADEMICS

*Starting college program now. Will
graduate AA.*

RE: WORK RECORD

Outstanding work record.

RE: GROUP ACTIVITIES

*Currently going to NA and attending
several work shops.*

RE: PSYCHIATRIC TREATMENT

No recommendations.

RE: PRISON BEHAVIOR

Clear record.

RE: OTHER

Continue present program

BPT REPRESENTATIVE SIGNATURE

DATE

[Signature]

6/10/93

NAME CORNK, DONALD	CDC NUMBER C-87286	INSTITUTION SAN QUENTIN	CALENDAR DOC	HEARING DATE 6-10-93
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LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

- ☒ DOCUMENTATION HEARING
☐ PAROLE CONSIDERATION HEARING
☐ PROGRESS HEARING

INSTRUCTIONS

TO CDC STAFF: DOCUMENT EACH 12-MONTH PERIOD FROM THE DATE THE LIFE TERM STARTS TO PRESENT.

TO BPT STAFF: FOR EACH 12-MONTH INCREMENT APPLY THE GUIDELINES UNDER WHICH THE PAROLE DATE WAS ORIGINALLY ESTABLISHED, i.e., 0-2 MONTHS FOR PBR AND 0-4 MONTHS FOR BPT. SEE BPT §§2290 - 2292, 2410 AND 2439.

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
6-25-90 to 6-25-91			Cronk remained at San Quentin with Med A custody and he continues to program in the General Population. Cronk has satisfactorily performed all work and learning assignments in compliance with the Electrical Apprenticeship Standards. He has acquired over 8000 hours of related and supplemental instruction. Cronk has also acquired Advance Computer Programming skills.
6-25-91 to 6-25-92			Cronk continued to be housed at San Quentin with Med A custody. On 12-11-91 Cronk was assigned as the Disciplinary Clerk. He was responsible for setting up the computer programs that is used to log and track all serious disciplinary reports at San Quentin. Cronk continually receives acknowledgements of his excellent work ethics. Also included are numerous laudatory chronos and letters of appreciation from administrators, second & first line supervisors, officers, and respected community leaders. Most have directly supervised Cronk or closely monitored the quality of his work. Cronk has the reputation of volunteering for responsible leadership positions. He is described as a self starter who works well without supervision. On 12-21-91 Cronk participated in the Alternatives to Violence Project.
CORRECTIONAL COUNSELOR SIGNATURE V. Dobson, CCI			DATE 5/12/93

NAME
Cronk, Donald

CDC NUMBER
C87286

INSTITUTION
San Quentin

CALENDAR
Doc

HEARING DATE
June 1993

BOARD OF PRISON TERMS

STATE OF CALIFORNIA

CONTINUATION SHEET: LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
cont.			The workshop helped Cronk to further develop and explore effective ways of dealing with conflict. Once again Cronk was acknowledged by the facilitator for the caring and supportive manner in which he displayed his leadership abilities.
6-25-92 to present			<p>Cronk remained at San Quentin with Med A custody. On 5-28-92 Cronk was assigned as the Operations Clerk. Noted is a 9-9-92 CDC 128B which states that Cronk had failed to meet the expectation of a clerical worker in the unit. Cronk received rave reviews until an apparent personality clash resulted in conflict.</p> <p>On 9-11-92 the Watch Commander requested that Cronk be reassigned to the Service Unit. Cronk performs as both the Captain and Watch Commanders Administrative Assistant Clerk.</p> <p>Cronk continues to receive laudatory chronos for displaying a high standard of work ethics and continues to volunteer an enormous amount of personal time to various projects. On 5-9-92, the San Quentin Mass Choir recorded an album. Cronk was instrumental in the vision to create and direct this project. Cronk authored the line notes for the album cover, as well as using his electrical and sound engineering skills.</p>

ORDER:

- ☐ BPT date advanced by _____ months.
 ☐ BPT date affirmed without change.
- ☐ PBR date advanced by _____ months.
 ☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

- ☐ Previously imposed conditions affirmed.
- ☐ Add or modify _____

- ☐ Schedule for Progress Hearing on appropriate institutional calendar.

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
Cronk, Donald	C-87286	San Quentin	Doc	June 1993

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BOARD OF PRISON TERMS

STATE OF CALIFORNIA

CONTINUATION SHEET: LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
cont.			Cronk has remained disciplinary clear since his 1984 reception into CDC. Cronk has established a healthy and stable family relationship with his wife and daughter, which remains intact. Cronk is a Christian and is very active in the prison ministry. He expressed sincere remorse concerning his life crime and has made significant changes.

ORDER:

- ☐ BPT date advanced by _____ months.
 ☐ BPT date affirmed without change.
- ☐ PBR date advanced by _____ months.
 ☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

- ☐ Previously imposed conditions affirmed.
- ☐ Add or modify _____

- ☐ Schedule for Progress Hearing on appropriate institutional calendar.

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
Cronk, Donald	C-87286	San Quentin	Doc	June 1993

282

CRONK, Donald C-87286

PSYCHOLOGICAL EVALUATION FOR THE BOARD OF PRISON TERMS
JUNE 1993 LIFER HEARING
SAN QUENTIN STATE PRISON

INTRODUCTION: Mr. Cronk is a 38-year old, married, first term, convicted of Murder 1st and received in the CDC 6/84. In the instant offense, Mr. Cronk, who was heavily dependent on cocaine at the time, planned with crime partners to rob a wealthy jewelry and coin dealer at his home. The victim arrived home, shot Mr. Cronk who had entered the home already to await the victim's return, and then was shot and killed by Mr. Cronk. Mr. Cronk, injured from being shot twice, escaped, recuperated in Las Vegas after seeking medical care there, and was finally arrested some nine months later in Idaho working for a traveling carnival. He remained in Sacramento County jail for some three and a half years prior to conviction and reception in the CDC.

SOCIAL HISTORY: Mr. Cronk was born and raised in a rural area of Wisconsin on a farm owned by his father. The family was quite poor and often burdened by financial pressures. Mr. Cronk has one older step-sister, one older sister and a younger brother; all of them are doing well and have remained in Wisconsin.

Mr. Cronk's mother was described as a sickly, neurasthenic, obese and chronically, mildly depressed woman who spent much of her time vegetating at home and being complaining and negativistic. Part of her problems may have resulted from the family's poverty and difficulty affording medical care for her ailments. However, these traits of lethargic pessimism, multiple physical complaints and withdrawn, depressive irritability are consonant with character traits common to many hypochondriacal, somaticizing individuals. Thus, her basic personality style was one that was difficult for others to enjoy or be with and consequently, Mr. Cronk spent much of his time avoiding being at home with her. Due to her miserable nature and sullen affectivity, the home was not characterized by much warmth, closeness, or communication. Mr. Cronk compensated for this lack of maternal nurturance by turning to his father, whom he idealized and admired for his hard work, skills as a tradesman, commitment to his family and the fact that he was willing to be a mentor and teacher to his son.

Mr. Cronk's father was a machinist and ran the family's small farm. To please his father and to aid him in his burden of work, Mr. Cronk worked hard on the farm and in the small engine repair business his father ran. As he looked up to his father, it was not difficult for him to devote much of his free time to working around the home. In addition, he felt a strong drive to lift his family and himself out of poverty and make something of himself. All of these factors played an important role in making Mr. Cronk a hard-working, driven and accomplishment-oriented individual from a very early age.

CRONK, Donald C-87286

-1-

SQ BPT RPT 4/27/93 RB:jl

Mr. Cronk remembered that high school was not an enjoyable experience for him. His poverty and meagre circumstances, his shyness and concerns about his looks and his commitment to working for his father all resulted in a lack of deep involvement with his secondary education and he dropped out in his junior year to begin working. Around this time, his father died of a heart attack which devastated Mr. Cronk. His family remembers him withdrawing for a year. He then met a local girl, got her pregnant and they got married. Mr. Cronk continued to work and support his wife and child until the time they decided to move to California.

Mr. Cronk was 22 years old when they moved to the Sacramento area, and he began working for a waterbed retail outlet. He quickly moved up in the organization due to his hard work. His marriage began to falter and they were divorced three years into the marriage. The daughter from that union, Kirsten, is 16 years old and lives with his ex-wife.

In California, Mr. Cronk was introduced to cocaine for the first time and he states that the very first time he used the drug, he realized how good it made him feel. He began to use more and more, beginning a pattern of gradual deterioration and slide into criminality to support his steadily worsening habit. Around this time, he met an ex-convict who helped him plan and carry out a series of robberies that finally resulted in the commitment offense.

Prior to this involvement with cocaine, Mr. Cronk had no prior criminal record and did not show traits common to antisocial personalities. It is a testament to the possible powerful and destructive effects of drugs when they interact with an already existent personality structure that fits too well with the physical and psychological effects that the drug produces.

MENTAL STATUS: Mr. Cronk was amiable, cooperative and engaging in interview. He has a warm, caring and friendly personality that seems so discordant with the facts of his case. Other than an attempt to seek treatment for his cocaine addiction in 1980 when he was in crisis over his steadily worsening habit, Mr. Cronk has never sought psychological help. He has no history of mental illness, or use of psychiatric medication. He appeared eminently stable and psychologically intact in interview. Thought processes and emotions were all in order.

PROGRAMMING: Mr. Cronk has shown exemplary programming over the last nine years in the CDC. He trained in Vocational Electric for four years and reached journeyman's status. In 1988 he began working as a clerk on the Captain's Porch. He also worked for Associate Warden Nelson on the San Quentin Museum project and began to learn the use of computers. More recently, he has acted as a co-producer on the recent release of an album of music by the San Quentin Protestant choir. In 1987 he married a woman who had been a friend of his family back in Wisconsin. She is currently a CPA for a local medical firm. In 1991 she gave birth to their first child, a girl.

CONCLUSIONS: Mr. Cronk is one of those rare individuals who has been able to rise above his early circumstances and make something of himself in prison. He is well liked by staff and relied upon for his skills and trustworthiness. His strong religious values and supportive marital relationship should do him well as he nears parole consideration. Although psychological testing was not conducted as part of this evaluation, at the time of parole consideration, it is recommended that more in-depth testing be done to clarify Mr. Cronk's personality traits and in particular the level, if any, of still existent "Type-A" personality patterns which are a variant of obsessive-compulsive styles.

In general, Mr. Cronk is already showing much promise and readiness in these early stages of his commitment.

R. Bruce
RANALD BRUCE, Ph.D.
Staff Psychologist

BOARD OF PRISON TERMS

STATE OF CALIFORNIA

LIFE PRISONER: DOCUMENTATION HEARING (BPT 82269.1)

BPT REPRESENTATIVE

F. C. Schanley

SENTENCE INFORMATION

OFFENSE (CODE SECTION AND TITLE)

Murder 1st / with Use.

CASE NUMBER

COUNT NUMBER

2.

DATE RECEIVED CDC

6/13/84

MIN. ELIG. PAROLE DATE

3/2/98

EARLIEST MIN. ELIG. PAROLE DATE

INITIAL HRG. SCHEDULED

2/97

PERIOD COVERED BY THIS HEARING

6-13-84/present

PRIOR DOCUMENTATION HEARING DATES

5/26/87

INFORMATION CONSIDERED

CDC 115 CHRONOS

☒ DISCIPLINARY FREE☐ MAJOR DISCIPLINARY (SERIOUS)☐ MINOR DISCIPLINARY (ADMIN.)

LAUDATORY CHRONOS

DATE

CIRCUMSTANCES

12/88

Electrical Apprentice

CDC 128 CHRONOS (NEGATIVE)

DATE

CIRCUMSTANCES

CHRONOS — WORK, EDUCATIONAL, VOCATIONAL, ETC.

DATE

CIRCUMSTANCES

4/90

Clerk - Grade 1 + 2.

INSTRUCTIONS TO CDC STAFF

DOCUMENTS STILL REQUIRED:

PSYCHIATRIC:

REFER TO CATEGORY

COMPLETE PRIOR TO

2/97 Initial Parole Hearing.

PLACE ON APPROPRIATE:

☒ LIFE PRISONER DOCUMENTATION CALENDAR☐ LIFE PRISONER PAROLE CONSIDERATION HEARING CALENDAR

OTHER

NAME

CRONK, DONALD

CDC NUMBER

C-87286

INSTITUTION

SAN QUENTIN

CALENDAR

JUNE

HEARING DATE

6/25/90

AFTER REVIEWING WITH THE PRISONER THE FACTORS WHICH MIGHT BE OF CONCERN AT HIS/HER INITIAL PAROLE HEARING, THE PANEL MADE THE FOLLOWING EVALUATIONS AND FUTURE RECOMMENDATIONS:

RE VOCATIONAL TRAINING

Completed ^{5000 hours} Electronics Trade 1988,
near Journeyman Level.
Interested in Computer Training

RE ACADEMICS

Completed GED.

RE WORK RECORD

Excellent Clerk.

RE: GROUP ACTIVITIES

Alcoholics Anonymous attended
1988-89.

RE: PSYCHIATRIC TREATMENT

No treatment needs.

RE: PRISON BEHAVIOR

Continue excellent conduct.

RE: OTHER

Prisoner wishes to remain
at San Quentin and
excellent programming and
family contacts.

BPT REPRESENTATIVE SIGNATURE

R. C. Schaub

DATE

6-25-90

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
CRONK, DONALD	C-87286	SAN QUENTIN	JUNE	6/25/90

LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

- ☐ DOCUMENTATION HEARING
☐ PAROLE CONSIDERATION HEARING
☐ PROGRESS HEARING

INSTRUCTIONS

TO CDC STAFF: DOCUMENT EACH 12-MONTH PERIOD FROM THE DATE THE LIFE TERM STARTS TO PRESENT.

TO BPT STAFF: FOR EACH 12-MONTH INCREMENT APPLY THE GUIDELINES UNDER WHICH THE PAROLE DATE WAS ORIGINALLY ESTABLISHED, i.e., 0-2 MONTHS FOR PBR AND 0-4 MONTHS FOR BPT. SEE BPT §§2290 - 2292, 2410 AND 2439.

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
5-27-87 to 6-12-88			<p>Cronk remained at SQ under Clo B custody in the general population with assignment in Vocational Electronic Data Pro. Cronk appeared at his Board of Prison Term Life Prisoner Documentation hearing on 5-26-87. The Board of Prison Terms recommended Cronk (1) continue Vocational Electronics Program (2) Upgrade vocational level possibly college level courses; (3) Continue excellent work record, remain disciplinary free, participate in self groups.</p> <p>On 2-9-88 Cronk appeared before UCC for close custody review. Committee noted that Mr. J. Henderson, the Vocational Electronic instructor submitted a CDC 128D chrono which stipulates that Cronk has accrued 2,000 hrs. in an 8,000 hr. program, i.e. Indentureship for the International Brotherhood of Electrical workers (Union 551), in Santa Rosa, CA. Mr. Henderson indicated a need for reduction of Cronk's custody, in order to obtain the necessary work experience associated with the Indenture-ship Program. On 8-4-87 married Linda Hartman.</p> <p>Received no disciplinary violations during this period.</p> <p>Vocational Laudatory Chronos:</p> <p>CDC 128B dated 2-2-88 J. Henderson, Instructor Vocational Electric, Requested custody reduction to obtain OJT offered by IDL noting outstanding, performance, grades, attitude, initiative. CDC 128B dated 3-14-88 noting Subject on loan to Renovation (IDL) for the purpose of OJT.</p>
CORRECTIONAL COUNSELOR SIGNATURE			DATE
<i>Louis Wright</i>			<i>6/10/88</i>
NAME	CDC NUMBER	INSTITUTION	CALENDAR
CRONK, DONALD	C-87286	SAN QUENTIN	JUNE 1990
			HEARING DATE

CONTINUATION SHEET: LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
5-27-87			<p>5-19-87 CDC 128B Voc Electrical Prog. requested retention at SQ to complete training to become Journeyman Electrician. He has 1081 hrs. in the 8,000 hr. course.</p> <p>CDC 128B IDL commended for job on Renovation project as electrician in conjunction with assignment as Apprentice in San Quentin Vocational Electrical Program.</p> <p>5-29-87 Competency Certificate for the program of electrical construction and maintenance.</p> <p>Self Help: CDC 128B Community Resources Manager Denice Dull states Inmate Cronk was a member of San Quentin's Alcoholics Anonymous from 1-13-88 thru 6-15-88.</p> <p>Academics: None</p>
to			
6-12-88			
6-13-88			
to			<p>Cronk remained at SQ under Med A custody in general population with assignment in Vocational Electrical. He received an assignment change on 6-15-88 to (IDL) renovation on loan in conjunction with trade to acquire on the job training in Renovation. Cronk appeared in UCC for transfer consideration. The transfer being considered is based on a major departmental population move. Committee elects to recommend retention due to renovation needs per memo dated 10-19-88 signed by CDW S. Cambra. On 1-18-89 the CSR endorsed San Quentin retention. Cronk appeared before UCC on 3-28-89 for program review and transfer consideration. Committee recommended transfer to Folsom. However on 4-11-89 the aforementioned recommendation was rescinded noting program considerations and his involvement in his Indentured Apprenticeship program. Committee notes that subject was previously assigned to the renovation crew</p>
6-12-89			

ORDER:

- ☐ BPT date advanced by _____ months.
 ☐ BPT date affirmed without change.
- ☐ PBR date advanced by _____ months.
 ☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

- ☐ Previously imposed conditions affirmed.
- ☐ Add or modify _____

- ☐ Schedule for Progress Hearing on appropriate institutional calendar.

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
CRONK, DONALD	C-87286	SAN QUENTIN	JUNE 1990	

CONTINUATION SHEET: LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
6-13-88			and therefore retained at San Quentin in order to complete this important task.
to			Cronk was returned to the Voc Electric Shop where he performs with A and B grades having completed 3,577 of the 8,000 hour program to date, (6 of 12 certification units). Cronk's supervisor states that he is an excellent student that he helps instruct the newer students, and that he hopes to remain at SQ noting the possibility that the program may began teaching fiberoptics. Committee further notes the favorable chronos received assigned to Renovation and his Indentured Apprenticeship with the Marin, Sonoma, Lake and Mendocino Counties Electrical JATC.
6-12-89			Received no disciplinaries during this period.
			Vocational laudatory: 1-10-89 Letter of Commendation.
			Self Help: CDC 128B Community Resources Manager, Denise Dull states "Inmate Cronk was a member of San Quentin's Alcoholics Anonymous from 1-18-89 thru 6-29-89.
			Academics: None
6-13-89			Cronk remained at SQ under Med A custody in general population. He continued assignment in Vocational Electric. On 1-5-90 Cronk appeared before UCC for Annual review and transfer consideration. Committee recommended retention at San Quentin II noting San Quentin has a Voc EDP program and Cronk's continuing education in Voc Electric program. On 2-6-90 Cronk received a assignment change at his request to the Service Unit.
to			Received no disciplinary violations during this period.
Present			

ORDER:

- ☐ BPT date advanced by _____ months.
 ☐ BPT date affirmed without change.
- ☐ PBR date advanced by _____ months.
 ☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

- ☐ Previously imposed conditions affirmed.
- ☐ Add or modify _____

- ☐ Schedule for Progress Hearing on appropriate institutional calendar.

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
CRONK, DONALD	C-87286	SAN QUENTIN	JUNE 1990	

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CONTINUATION SHEET: LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
6-13-89			Self Help: 5-18-90 Memo from E. Smith, Chaplain for Missionary Fellowship. 5-18-90 Memo from E. Smith, Chaplain for Husband/Wife program.
to			Vocational laudatory chrono: 4-20-90 CDC 101 Work Supervisor's Report, Watch Cammander's Clerk 3rd/watch 3 months Asset to Supervisor, completes all tasks; typing, filing, word processing, & general clerk.
Present			12-15-89 Letter from Joint Electrical Industry Training Program Fund.
			12-15-89 Electrical Construction and Maintenance Apprenticeship - Certificate of Completion State of California Competency Based Training.
			12-27-89 CDC 128B Electrical Foreman, Peter J. Szluk states Cronk is Indentured Electrical Apprentice with the I. B. E. W., Local 551, Santa Rosa Cronk has had extensive technical and national code training thru his assignment with SQ Vocational Electric program. He has been integral part of the IDL crew, working in all phases of electricity. "Cronk will become a top notch journeyman before release from prison and will have no problem obtaining employment either thru his union or independently." "I would not hesitate to hire Cronk at any time for any job required".

ORDER:

- ☐ BPT date advanced by _____ months.
 ☐ BPT date affirmed without change.
- ☐ PBR date advanced by _____ months.
 ☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

- ☐ Previously imposed conditions affirmed.
- ☐ Add or modify _____

- ☐ Schedule for Progress Hearing on appropriate institutional calendar.

NAME CRONK, DONALD	CDC NUMBER C-87286	INSTITUTION SAN QUENTIN	CALENDAR JUNE 1990	HEARING DATE
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PREPARED BY:

L. WRIGHT, CCI

BPT 1004 (REV. 7/86)

PAGE ____ of ____

 REVIEWED BY:
 P. WINNIE, CCI

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PERMANENT ADDENDA

CRONK, Donald C-87286

PSYCHIATRIC EVALUATION FOR THE BOARD OF PRISON TERMS
JUNE 1990 DOCUMENTATION LIFER HEARING
SAN QUENTIN STATE PRISON

This is the second report to the Board on this inmate since his inception into San Quentin on August 21, 1984. The central file and the medical/psychiatric records were reviewed, in addition to a 50-minute interview with the inmate.

The patient's background has been adequately documented in a prior psychiatric evaluation for the BPT on 5/14/87 by M. Roudebush, M.D., Staff Psychiatrist at San Quentin. There is thorough documentation starting with the patient's birth in Milwaukee, Wisconsin on 12/20/55 with a detailed review of his childhood.

Inmate Cronk is somewhat remarkable inasmuch as since his arrival at SQ he has not received a single 115.

A Mental Status Examination revealed a well-groomed, alert male, who had a black beard. His thoughts were clear, with no difficulty tracking ideas. He was aware of the scope of the examination. There was no evidence of hallucinations, delusions or disordered sleep. His memory for events both recent and remote was unimpaired. There were no abnormal perceptions, no evidence of confusion throughout the interview. The patient admitted that he was somewhat anxious, given the status of San Quentin, namely the transition to a reception center with the attendant uncertainties of his future within the contours of the CDC.

Donald Cronk said that he had completed his apprenticeship as a certified journeyman electrician on 12/15/89 and was indentured to the Santa Rosa Electrician's Union, Local 551. He was trained within the walls by this local. Additionally, he is an active member of Alcoholics Anonymous.

Since his previous evaluation, he has married, his wife being the general manager of an accounting firm in San Pablo. He has visits from her five days a week. They have started a couple's group in the Protestant church in which they are active.

He is planning to study electronic data processing, which he sees as complementary to his electrical training.

IMPRESSION: Axis I No Diagnosis
Axis II Drug Addiction, in remission (cocaine)

CRONK, Donald C-87286

SQ

BPT Doc.

5/90

WCS:jl

Mr. Donald Cronk has used his time in prison in an exceptionally productive manner, having trained as a certified journeyman electrician, as well as his other activities.

The structure afforded by the prison may, in large measure, be responsible for the patient's continuing improvement. It is recommended that the inmate continue his present program as benefit is likely. The release date, timing and conditions of parole should be determined based on other than psychiatric conditions.

William C Sullivan MD
WILLIAM C. SULLIVAN, M.D.
Staff Psychiatrist

BOARD OF PRISON TERMS

STATE OF CALIFORNIA

LIFE PRISONER: DOCUMENTATION HEARING (BPT §2269.1)

BPT REPRESENTATIVE

SENTENCE INFORMATION

OFFENSE (CODE SECTION AND TITLE)		CASE NUMBER	COUNT NUMBER
DATE RECEIVED CDC 6/13/84	MIN. ELIG. PAROLE DATE N/A	EARLIEST MIN. ELIG. PAROLE DATE 11/8/95	
INITIAL HRG. SCHEDULED 10/94	PERIOD COVERED BY THIS HEARING 6/13/84 - Present	PRIOR DOCUMENTATION HEARING DATES N/A	

INFORMATION CONSIDERED

CDC 115 CHRONOS		LAUDATORY CHRONOS	
<input type="checkbox"/> DISCIPLINARY FREE <input type="checkbox"/> MAJOR DISCIPLINARY (SERIOUS) <input checked="" type="checkbox"/> MINOR DISCIPLINARY (ADMIN.)		DATE	CIRCUMSTANCES
		8/13/86	Good worker
CDC 128 CHRONOS (NEGATIVE)		CHRONOS — WORK, EDUCATIONAL, VOCATIONAL, ETC.	
DATE	CIRCUMSTANCES	DATE	CIRCUMSTANCES
		3/31/87	A & B's in Voc Electric
		1/2/87	Good comments as Voc Elect
		9/30/86	A & B's in Voc Elec
		6/30/86	B grades in Voc Elect
		11/20/84	Excellent report as hourly worker

INSTRUCTIONS TO CDC STAFFDOCUMENTS STILL REQUIRED: Psych

PSYCHIATRIC:

REFER TO CATEGORY Return Psych referral

COMPLETE PRIOR TO _____

PLACE ON APPROPRIATE:

- ☒ LIFE PRISONER DOCUMENTATION CALENDAR
☐ LIFE PRISONER PAROLE CONSIDERATION HEARING CALENDAR

OTHER

See attached BPT 1004 dated 4/1/87 & psych report of 5/14/87

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DATE
CRONK	C-87286	SQ	5/87	5/26/87

AFTER REVIEWING WITH THE PRISONER THE FACTORS WHICH MIGHT BE OF CONCERN AT HIS/HER INITIAL PAROLE HEARING, THE PANEL MADE THE FOLLOWING EVALUATIONS AND FUTURE RECOMMENDATIONS:

RE: VOCATIONAL TRAINING

Voc Electronics He is doing well in the program

RE: ACADEMICS

Has GED. Is learning in Voc Electronics. Possibly AA degree in Electronics might be pursued.

RE: WORK RECORD

Currently good attendance in Voc/Elec program

RE: GROUP ACTIVITIES

Is in T.M. Feels it will be beneficial for him.

RE: PSYCHIATRIC TREATMENT

Psych report of 5/14/87 is basically positive

RE: PRISON BEHAVIOR

To remain disc free

RE: OTHER

BPT REPRESENTATIVE SIGNATURE

DATE

NAME

CDC NUMBER

INSTITUTION

CALENDAR

HEARING DATE

CRONK

C-87286

SQ

5/87

5/26/87

BOARD OF PRISON TERMS

LIFE PRISONER: POSTCONVICTION PROGRESS REPORT

STATE OF CALIF.

- ☒ DOCUMENTATION HEARING
☐ PAROLE CONSIDERATION HEARING
☐ PROGRESS HEARING

INSTRUCTIONS

TO CDC STAFF: DOCUMENT EACH 12-MONTH PERIOD FROM THE DATE THE LIFE TERM STARTS TO PRESENT.

TO BPT STAFF: FOR EACH 12-MONTH INCREMENT APPLY THE GUIDELINES UNDER WHICH THE PAROLE DATE WAS ORIGINALLY ESTABLISHED, i.e., 0-2 MONTHS FOR PBR AND 0-4 MONTHS FOR BPT. SEE BPT §§2290 - 2292, 2410 AND 243

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
6/13/84 to 6/12/85			<p>Cronk was received at NRC-CMF on 6/13/84 for Initial Classification. He was subsequently transferred to San Quentin and placed in MCU under Close B custody. On 8/21/84 he was placed in the San Quentin General Population under Close B custody. On 9/1/84 he was assigned to Industries. On 10/6/84 he was reassigned to the Laundry and was graded as an exceptional worker on CDC 101. Between 1/11/85 and 3/28/85, Cronk was out to court twice and was returned to the San Quentin General Population and reassigned to the Laundry both times. He did not participate in any self-help group, nor did he receive any laudatory chronos during this period.</p> <p>Disciplinary history:</p> <p>Clear.</p>
6/13/85 to 6/12/86			<p>He remained at San Quentin under Close B custody in the General Population. He continued his assignment in the Laundry, but was not graded. Between 12/11/85 and 4/24/86 Cronk was in and out of the institution and local hospitals in addition to being medically unassigned for an acute cervical disc disease. On 4/24/86 he was assigned to Vocational Electric. During this period, his assignment was not graded, he received no adverse or disciplinary chronos, no laudatory chronos, nor did he participate in any self-help groups.</p>
CORRECTIONAL COUNSELOR SIGNATURE <i>J. Clarke</i>			DATE 4/1/87
NAME	CDC NUMBER	INSTITUTION	CALENDAR

CRONK
G. Harris
 G. Harris, CCII

C-87286

SQ

5/87

HEARING 0A

BPT 1004 (REV 7 86)

PAGE 1 of 2

POSTCONVICTION CREDIT			REASONS
YEAR	BPT	PBR	
6/12/86 to Present			<p>He remained at San Quentin under Close B custody in the General Population. He continued his assignment in Vocational Electric and was graded above average. On 8/13/86 he was accepted into the Electrical Indentured Apprenticeship Program. On 12/2/86 he was temporarily assigned to the Renovation Crew, then reassigned to Vocational Electric on 12/13/86. He did not participate in any self-help groups during this period. He received a laudatory CDC 128-B on 8/13/86 for excellent work habits and acceptance into the apprenticeship program.</p> <p>Disciplinary history:</p> <p>Clear.</p>

ORDER:

- ☐ BPT date advanced by _____ months.
 ☐ BPT date affirmed without change.
 ☐ PBR date advanced by _____ months.
 ☐ PBR date affirmed without change.

SPECIAL CONDITIONS OF PAROLE:

- ☐ Previously imposed conditions affirmed.
 ☐ Add or modify _____

- ☐ Schedule for Progress Hearing on appropriate institutional calendar.

NAME	CDC NUMBER	INSTITUTION	CALENDAR	HEARING DA
CRONK	C-87286	SQ	5/87	

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CRONK C-87286

PSYCHIATRIC EVALUATION FOR THE BOARD OF PRISON TERMS
JUNE 1987 DOCUMENTATION LIFER CALENDAR
SAN QUENTIN PRISON

This is the first psychiatric report to the Board of Prison Terms for this inmate.

Evaluation is based upon approximately nine psychotherapy sessions between December '84 and July of '85, plus a current review of the records and a single, individual interview scheduled for preparation of this report.

Significant past history indicates Cronk had a close, supportive relationship with his father, and a somewhat distant relationship with limited communication with his mother. Mr. Cronk became bored and dropped out before finishing high school. He tended to be hyperactive. He was quite successful at work, progressed rapidly to positions of responsibility prior to becoming addicted to cocaine. He married early and began to feel burdened by the responsibility. In retrospect, he states his intellectual development outpaced his emotional development. Intellectually, he was able to handle the responsibilities of his jobs and wanted the responsibility, but on the other hand, he wanted to "goof off." He had tried a variety of drugs, none of which had any special appeal until he tried cocaine at the age of 23. "I liked it, it made me feel more outgoing, more energy." Within a year and a half after starting to use cocaine, he had lost his job, his family and his self-respect and resorted to crime to support himself and his habit. In 1978, soon after the death of his father, he felt overwhelmed with the futility of his life, and attempted suicide with an overdose of aspirin. He felt there were, "tons and tons of pressure on me." With his father no longer there, "to keep me in line," it seemed "an easy way out."

For interview, Mr. Cronk was on time and appropriately groomed. He presented in a friendly, open, spontaneous manner. Thoughts were organized and goal directed. There was a healthy level of spontaneous elaboration in all areas to which the discussion led. He discussed the commitment offense freely, everything was planned, "but the killing." He feels sure he would not have participated in a crime if he had been able to see the killing as a possible outcome. He, himself was being shot and "responded out of reflex, fear." Soon after the offense, he consulted a lawyer and was told he was facing a death penalty. He chose to remain on the run. Eventually, when arrested, he promptly pled guilty to 1st degree murder, then remained in the county jail approximately three and a half years, while he fought the district attorney's insistence upon the death penalty. During this three and a half years, he engaged in a lot of self-examination and made a 'sort of peace with himself, accepting that he would be executed."

While in the county jail, he heard many rumors and reports of prison life. When he arrived in CDC, he was "scared to death." He tried to

CRONK C_87286

JUNE 1987 DOCUMENTATION

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PC. He is now glad it didn't work. He gradually learned getting along in prison is "all on you." And he has, "not had a lick of trouble." He is now involved in an electrical trade and likes it very much. He feels, "real good," at times about the ease with which he learns things that once tended to overwhelm him. During the past year, he has developed a relationship which he thinks will lead to marriage. He feels a great deal of support in the relationship and has been able to share things with her that he has never talked with anyone about.

MENTAL STATUS: Cronk is correctly oriented in all spheres and reveals no disorder of thought or affect. Intelligence is estimated as above the normal range. With respect to drugs, he states, "I killed a person because of cocaine, I wouldn't want to involve myself in it again."

DIAGNOSIS: Axis I - No psychiatric disorder
Axis II - Drug addiction, cocaine (in remission)

CONCLUSIONS: this man gives evidence of considerable introspection and emotional growth, since the commitment offense. He displays a wide area of identification with positive social values. Violence potential is seen as less than average for this population.

RECOMMENDATIONS TO CLASSIFICATION COMMITTEE: Continue support of positive programming and the use of self-help groups.

U.S.R. / Richard Roudebush M.D.
M.E. ROUDEBUSH, M.D. *CPD(A)*
Staff Psychiatrist

In and for the County of Sacramento

DEPT. SIX NUMBER 66618

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff

vs.

DONALD EVERETT CRONK

Defendant

Age 28 D.O.B. 12/20/55

TO THE ABOVE ENTITLED HONORABLE COURT:

Pursuant to statute and the direction of this Court, the Probation Officer hereby respectfully submits the following report and recommendation:

after the defendant plead GUILTY to

the charge of violation of Section 197(a) of the Penal Code (Murder, 1st Degree) and admitted violation of Section 12022.5 of the Penal Code (Use of a Firearm) as alleged in Count One of the Information.

The District Attorney's motion to strike the special circumstances in Count One and dismiss Counts Two and Three of the Information alleging violation of Section 211 of the Penal Code (Armed Robbery) and 459 of the Penal Code (Burglary, 1st Degree) and the allegations pursuant to violation of Section 12022.5 of the Penal Code (Use of a Firearm) was taken under submission by the Court.

The Plea was recommended by the District Attorney.

DATE COMMITTED December 19, 1980
 DATE ARRESTED July 1, 1981
 INFORMATION FILED August 11, 1983
 REFERRED TO PROBATION OFFICER March 23, 1984
 REPORT FILED May 21, 1984 at 9:00 a.m.
 ATTORNEY: R. Fathy DISTRICT ATTORNEY: G. Williamson

Attachments:

00.5 Credits ☒C. I. I. ☒1170 P. C. Worksheet ☒

300

Probation Costs ☐D. M. V. ☐Other ☐

Court No.: 66618
 CII NO.: A07051
 FBI NO.: 027700
 Soc. Sec. No.: 395-64
 Drivers License No.: N07896
 Booking Agency & No.: SSO:28
 Probation No.: A-98,3

PERSONAL HISTORY

(Mr.)
~~(Mrs)~~
~~(Miss)~~
 Name: Donald Everett Cronk AKA _____
 Age: 28 DOB 12/20/55 Birthplace: Milwaukee, Wisconsin
 Address: Sacramento County Jail Phone: --
 Ht.: 5'11" Wt.: 150 Eyes: Blue Hair: Brown Race: Caucasian
 Resides with: Parents ☐ Parent & Step-Parent ☐ Spouse ☐ Friend ☐
 Self ☐ Other ☒ Jail
 Father: Donald Ellsworth Cronk Address: Deceased
 Mother: Marilyn Cronk Address: 370 N. Tratt St., Whitewater, WI
 Wife ~~Husband~~ Mary Kreil 1973 Divorced One: 7 years
 Previous NAME DATE OF MARRIAGE STATUS CHILDREN & AGES
 Marriage: NAME DATE OF MARRIAGE STATUS CHILDREN & AGES
 Previous NAME DATE OF MARRIAGE STATUS CHILDREN & AGES
 Marriage: NAME DATE OF MARRIAGE STATUS CHILDREN & AGES
 Total No. of Marriages: One Total No. of Children: One
 Closest Other Living Relative or Friend: Mother Address: See above
 Child support through: Paying ☐ Delinquent ☐
 Source of Income: None Rec. ☐ Amt. per month. _____
 Military branch: N/A Rank: _____ Ser. No.: _____
 Date of service: _____ to _____ Discharge: _____ Verified: _____
 Level of school: 11th Grade Advanced schooling: GED
 HIGHEST GRADE HIGHEST LEVEL AND WHERE
 Occupational or Professional skills: Service Manager

EMPLOYER	ADDRESS	OCCUPATION	MONTHLY EARNINGS	DATES
LaBries Waterbeds	Sacramento, CA	Service Manager	\$1,800	1977 - 1980
Jason & Sons	Sacramento, CA	Warehouse Manager	--	1976

1 I. PRESENT OFFENSE:

2 Details of this offense are taken from Sacramento
3 County Sheriff's Department Offense Report #80-94904 and
4 from the transcripts of the Preliminary Hearing held July
5 26th, 27th, 28th and 29th, 1983, in Department O of the
6 Sacramento County Municipal Court.

7 On December 19, 1980, at approximately 8:00 p.m.,
8 officers were called to the residence of James Allen, 652
9 Woodside Sierra, Apt. #4. It was discovered that the 50 year
10 old victim, James Allen, had been shot and killed. The
11 victim was the owner and operator of the Allen Coin Shop at
12 6448 Fair Oaks Boulevard in Carmichael, California. He was
13 found by his son-in-law, Paul Verigen.

14 Mr. Allen and Mr. Verigen, who was employed at the
15 Allen Coin Shop, left the shop together on the evening of
16 December 19, 1980. Mr. Allen drove his car and Mr. Verigen
17 drove a car belonging to Mrs. Allen, who was in Oregon
18 visiting relatives. Mr. Allen went directly to his residence,
19 but Mr. Verigen stopped at a service station en route and
20 did not arrive at the victim's home until approximately
21 ten to twenty minutes after Mr. Allen's arrival.

22 When Mr. Verigen opened the front door, he found
23 Mr. Allen lying face up on the floor. He appeared un-
24 conscious. Mr. Verigen immediately noticed that the rooms
25 had been ransacked and assumed that Mr. Allen had surprised
26 the culprits as the patio door was broken and pieces of

1 I. PRESENT OFFENSE: (Continued)

2 loose glass were still falling to the floor. Mr. Verigen
3 left and hailed the apartment security guard who called an
4 ambulance and notified Sheriff's officers. Responding
5 personnel determined that Mr. Allen had been shot and was
6 dead.

7 Subsequent examination by the Coroner revealed that
8 he had been shot in the posterolateral left chest in the
9 posterior axillary line. The bullet entered seven inches from the
10 posterior midline and two and a quarter inches below the
11 nipple line. The track extended inward from left to right and
12 slightly from back to front. It entered the lower lobe of
13 the left lung and travelled to the descending thoracic aorta.
14 It totally shattered the aorta in a large 3/4 inch irregular
15 hole and the slug continued into the lower portion of the
16 third dorsal spine. The slug was recovered. The pathologist
17 testified that the victim bled to death within three to six
18 minutes.

19 Officers determined that there were no other
20 occupants in the apartment.

21 Three upstairs bedrooms and the living room had
22 been ransacked. A wood "club" approximately four feet long
23 and one and one half inches thick was lying on the lower
24 stairs. There were two bullet holes in the upper left corner
25 of the sliding glass door and in an adjacent storage shed.
26 There was also a bullet hole in the louvered door of the dining

1 I. PRESENT OFFENSE: (Continued)

2 room and in the north living room wall.

3 Examination of the victim revealed he had a gun
4 holster in his right front pants pocket but the gun, sub-
5 sequently determined to have been a .38 caliber Smith-Wesson
6 was missing. A briefcase, which would have been carried in-
7 to the house by the victim, was missing as was the victim's
8 diamond ring. This ring was described as containing a 3.88
9 carat diamond valued at approximately \$33,000.00. The brief-
10 case contained numerous gold and silver coins, gold jewelry
11 and diamonds. The gold and silver were valued in excess of
12 \$49,000.00. The total value of the missing items was
13 determined to be in excess of \$100,000.00.

14 Further examination of the victim revealed a bill-
15 fold in his right rear pants pocket which contained \$37.00
16 and a Derringer pistol loaded with two .22 magnum rounds. A
17 gray box lying near the victim's foot contained in excess of
18 \$10,000.00 in cash and another loaded two shot Derringer.

19 On December 23, 1980, officers received information
20 from an informant that Glenn (Butch) Meyer had been plotting
21 with a relative, in the Summer of 1980, to rob a coin dealer
22 of a large ring. Because of the relative's incarceration the
23 plans had to be postponed. The relative told the informant, on the
24 day of the offense, to watch the evening news and he would
25 learn that Mr. Meyer had carried out the plan with a
26 companion who had been shot by the victim. It was also

1 I. PRESENT OFFENSE: (Continued)

2 reported that Mr. Meyer had a .38 caliber revolver that he had
3 used in several robberies.

4 On January 5, 1981, Irene Kind, the mother of
5 Jeannie Smith, aka Meyer contacted Sheriff's officers and
6 told them the details of the offense as related to her by her
7 daughter. She implicated Glenn Meyer, Donald Cronk and
8 Terry Warren. Mrs. Kind further confessed that her daughter
9 had given her a plastic bag that reportedly contained
10 Donald Cronk's blood stained clothing. She took it to an area
11 beyond El Dorado Hills, poured gasoline on it and set it on
12 fire. Mrs. Kind turned over to Sheriff's officer a packet
13 containing gold coins and unset diamonds that were identified
14 as having been taken from Mr. Allen. She related that
15 Donald Cronk had been shot by the victim at the time of the
16 offense and had given the packet to her daughter for treating
17 his wounds.

18 Glenn Meyer, Jeannie Smith aka Meyer, and a female
19 juvenile were arrested on January 6, 1981. Terry Warren
20 subsequently surrendered himself to the Sacramento County
21 Sheriff's Department officers on June 9, 1981, and Donald
22 Cronk was arrested in Idaho by the FBI on July 1, 1981.

23 The following scenario of the offense was sub-
24 sequently developed:

25 Sometime in the Summer of 1980, Glenn Meyer became
26 aware that James Allen was wearing a ring that contained a

1 I. PRESENT OFFENSE: (Continued)

2 large diamond. On various occasions, he discussed the
3 possibility of robbing Mr. Allen and taking the ring. These
4 discussions were with several people including Charles
5 Lovely, Donald Cronk and Terry Warren. The discussion
6 finally evolved into a plan to rob Mr. Allen in his own
7 home. On the day prior to the offense, Glenn Meyer, Donald
8 Cronk and Terry Warren followed the victim home from his
9 place of employment in order to learn where he lived. Mr.
10 Cronk and Mr. Meyer planned to enter the residence and wait
11 for the victim to come home. They would be alerted to the
12 victim's arrival by Terry Warren. They then intended to
13 accost the victim, tie him up and remove his ring. A pair
14 of gloves, cord and a bottle of baby oil were purchased to
15 help them to carry out the plan. The baby oil was to lubricate
16 the victim's finger if it was difficult to remove the ring.

17 In the early evening of December 19, 1980, Donald
18 Cronk and Glenn Meyer went to the victim's residence. Mr.
19 Cronk removed a screen from a window, opened the window and
20 entered the apartment. He then opened the front door to
21 allow Mr. Meyer to enter. They then ransacked the house
22 while waiting for Mr. Allen's return. They were not concern-
23 ed about being surprised by the victim's arrival as Christmas
24 bells were hanging on the front door.

25 When Mr. Allen arrived at his residence, however,
26 he some how became aware that something was amiss. He entered

1 I. PRESENT OFFENSE: (Continued)

2 quietly, with his pistol drawn.. Exactly what happened after
3 that is unknown but it appears that Mr. Meyer was at or near
4 the foot of the stairs with the wooden club in his hand when
5 he was confronted by the victim. Mr. Cronk was in the
6 kitchen and came out when he heard noises. Mr. Allen turned
7 and fired at Mr. Cronk. Mr. Cronk suffered at least two
8 gunshot wounds, one to the left side in the area of his ribs
9 and one to his left arm. The bullets passed through his body
10 without lodging there and did not hit any vital organs. Mr.
11 Allen was struck with the shot that killed him. The
12 two culprits fled but Mr. Meyer apparently stopped long
13 enough to pick up the victim's gun, briefcase and diamond
14 ring. He fled to his truck, which was parked nearby then
15 stopped and picked up Mr. Cronk on an adjacent street. Mr.
16 Cronk had disposed of his gun, described as a .38 caliber
17 Colt Detective Special in some near-by bushes. The victim's
18 gun was also thrown away.

19 On January 25, 1981, a five year old found a .38
20 caliber Colt Detective Special in some bushes behind her
21 grandparents' apartment. This gun was believed to have been
22 the gun used by Mr. Cronk. It had three live rounds and three
23 spent rounds. Unfortunately that gun was subsequently
24 disposed of, making exhaustive tests for bullet comparison
25 impossible.

26 On May 5, 1982, a .38 caliber Smith-Wesson was

1 I. PRESENT OFFENSE: (Continued)

2 found by children playing under a bridge on Winding Creek.
3 That gun was identified by serial number as belonging to
4 James Allen.

5 Mr. Meyer, phoned his residence and contacted
6 Terry Warren. Arrangements were made to take Mr. Cronk to
7 Mr. Warren's house. They were joined there very shortly by
8 Jeannie Meyer and the female juvenile. Mr. Cronk's wounds
9 were bandaged. A short while later, Charles Lovely delivered
10 Mr. Allen's briefcase to the Warren residence. The three
11 men, Mr. Meyer, Mr. Warren and Mr. Lovely examined the
12 contents of the briefcase and discussed plans for selling
13 the items in Los Angeles and Las Vegas. They also examined
14 Mr. Allen's ring and Mr. Lovely told them that he would have
15 difficulty disposing of it in Sacramento and suggested that
16 they try to sell it in Las Vegas. Terry Warren gave Mr.
17 Lovely two \$500.00 bills and some diamonds. Those items
18 were taken from Mr. Allen's briefcase.

19 Three days later, Mr. Meyer and Mr. Warren put
20 Donald Cronk in the back of the pickup and the three left
21 for San Francisco, then San Jose. From San Jose, they
22 apparently travelled to Los Angeles and then to Las Vegas
23 where arrangements were made to fly a doctor from New
24 Jersey to Las Vegas to treat Mr. Cronk's injuries. They
25 reporteldy paid \$1,000.00 for the doctor's services. During
26 part of their travels the men were joined by Jeannie Meyer.

1 I. PRESENT OFFENSE: (Continued)

2 and the female juvenile. Witnesses at the various hotels
3 and motels were able to identify pictures of the various
4 participants except Mr. Cronk. He apparently was bedridden
5 and/or confined to the room due to his injuries.

6 On January 6, 1981, Glenn Meyer returned to
7 Sacramento as he was due to appear in Court the following
8 day. Officers arrested Mr. Meyer and the female juvenile out-
9 side the Meyer residence. Jeannie Meyer was then arrested.

10 When questioned by officers, Jeannie Meyer reported
11 that her husband and Donald Cronk were stealing merchandise
12 from LaBries Warehouse where Donald Cronk was employed. He
13 would then juggle the books to show that the merchandise had
14 been sent to a different store. Mr. Cronk got fired as the
15 result of getting a dent in the company truck. He then
16 went to Wisconsin to visit his family in August of 1980. Mr.
17 Cronk returned to Sacramento in November of 1980, and he and
18 Mr. Meyer were committing armed robberies of liquor stores
19 and bars. Terry Warren was the driver of the getaway car.
20 They then made plans to rob Mr. Allen as outlined above.

21 Mr. Meyer confirmed his wife's statements and
22 indicated that his life had been saved by Mr. Cronk. Mr.
23 Meyer believed that the victim intended to shoot him but
24 turned away when Mr. Cronk appeared and exchanged shots with
25 Mr. Cronk instead.
26

On July 8, 1981, Donald Cronk, using the name of

1 I. PRESENT OFFENSE: (Continued)

2 Donald Allen Palmer was arrested by FBI agents at the
3 Inland Empire Carnival in Rupert, Idaho. He was arrested on
4 a warrant from Wisconsin alleging several robberies. Mr.
5 Cronk was not formally questioned but stated "what happened
6 in Wisconsin was just kid stuff". He did that because he
7 was desperate and needed money. He stated that he shot the
8 man in California because the man first shot him. The bullet
9 knocked him to the floor and then the man shot him again. He
10 stated that after being shot at the second time, he pulled
11 the .38 caliber revolver from his pocket and fired back.

12 Co-defendants

13 ~~There were no co-defendants charged in the~~
14 Information, however, there were others involved. Terry
15 Dean Warren entered a plea of guilty to violation of Section
16 32 of the Penal Code (Assessory to a Felony). He was
17 scheduled to appear for Judgment and Sentence on October 20,
18 1981, and since that time sentencing has been postponed until
19 after Mr. Warren testified in the matter of Donald Cronk.

20 No charges were filed against Jeannie Smith aka
21 Meyer in return for her cooperation. The female juvenile
22 was taken to the Neighborhood Alternative Center as a
23 runaway.

24 Glenn Edward Meyer pled guilty to violation of
25 Section 187 of the Penal Code (Murder, 1st Degree) and admitted
26 the armed allegation pursuant to Section 12022(a) of the Penal

1 I. PRESENT OFFENSE: (Continued)

2 Code. He further admitted a prior prison commitment of
3 December 29, 1975. On December 15, 1981, he was sentenced to
4 state prison for one year for the armed allegation, one year
5 for the prior prison term and twenty-five years to life for
6 murder.

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8
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10 II. DEFENDANT'S STATEMENT:

11 When interviewed at the Sacramento County Jail, the
12 defendant presented a copy of a letter dated March 27, 1984,
13 directed to Judge Phillips. He requested that the letter
14 be included in his report as part of his statement of the
15 offense. Please refer to that letter which is attached to
16 this report.

17 The defendant stated that the whole incident was
18 because of his involvement with cocaine. He stated "Cocaine
19 destroyed me". He had a good job with possibilities of
20 advancement then began using cocaine. He was in debt
21 approximately \$10,000.00 and lost his job because he couldn't
22 even coordinate his thoughts anymore. He became involved
23 with cocaine through his job associates then became involved
24 with Mr. Warren and Mr. Meyer through the cocaine dealing.

25 Mr. Cronk claims that Terry Warren was the main
26 force behind the entire crime. He told them about Mr. Allen

1 II. DEFENDANT'S STATEMENT: (Continued)

2 and wanted to rob the victim. The defendant suggested that
3 they burglarize his residence instead. They agreed to do
4 that and he broke into the residence through an unlocked
5 window then let Mr. Meyer in the front door. Mr. Warren
6 stayed outside and was to warn them if the occupant returned
7 home. Mr. Cronk stated that he was in the kitchen and
8 Mr. Meyer was upstairs. Mr. Cronk heard some thuds and opened
9 the sliding door in the kitchen and saw Mr. Meyer standing
10 on the stairs with the victim facing him, his back toward
11 the defendant. Mr. Allen turned immediately and shot the
12 defendant in the left arm. Mr. Cronk stated that he panicked
13 and headed toward the door, then was hit in the side. He
14 drew his gun and fired as he fled and expected to be shot as
15 he ran down the sidewalk. He was bleeding profusely and
16 lay down in some high grass across the street from the
17 apartment complex. A short while later, Mr. Meyer came by
18 in his truck, picked him up and took him to Terry Warren's
19 house. He stated that things after the offense are very
20 blurred as he was in a great deal of pain. Mr. Meyer, however,
21 told him that he (Mr. Cronk) had shot the victim. He believed
22 for a long time that he had shot the victim until they found
23 that the bullet in the victim did not necessarily match the
24 one in the gun that he used. He now believes that either
25 Mr. Meyer or Terry Warren also had a gun and further believes
26 that Mr. Warren told the victim, for reasons unknown, that he

1 II. DEFENDANT'S STATEMENT: (Continued)

2 and Mr. Meyer were in the house. When Mr. Allen came in, he
3 came in with his gun drawn and prevented the bells on the
4 Christmas wreath from ringing when he opened the door.

5 Mr. Cronk expressed deep regret for his actions and
6 stated that he is deeply sorry for the victim and his family
7 and the grief he has caused them. He stated that he knows
8 what they are experiencing because he experienced the same
9 kind of grief when his own father died. He has disgraced his
10 family. Everyone who has known him is shocked by the charges
11 and he feels that his friends have disowned him since the
12 offense. He acknowledged his culpability, however, and
13 stated that he was ready to pled guilty at arraignment but the
14 District Attorney would not accept his plea and filed an
15 amended complaint alleging special circumstances. He has
16 been fighting the charges ever since as he feels, despite
17 his plea, that he is really only guilty of second degree
18 murder.

19
20
21 III. THE VICTIM:

22 Victim's Notification

23 The victim's wife, Virginia Allen, was provided notice by
24 mail of the time, date and place of the defendant's hearing
25 and with information concerning the victim's rights to civil
26 recovery and restitution fund compensation. She

1 III. THE VICTIM: (Continued)

2 indicated that she does intend to be present for the hearing
3 and does want to make a statement.

4 Victim's Statement

5 This officer talked with Mrs. Allen by telephone.
6 She indicated that there is no way she can describe her
7 feelings when the offense occurred. Her home has been
8 desecrated, her privacy violated and her husband killed. At
9 the time she left to visit relatives, she had everything to
10 live for but returned to nothing. She feels that the
11 defendant killed her at the same time he killed her husband
12 but she is still here trying to cope. Mrs. Allen and the
13 victim would have celebrated their wedding anniversary the
14 day after the offense and rather than him joining her and
15 relatives for Christmas they were burying him the day before
16 Christmas.

17 Mrs. Allen stated that the loss to herself and
18 the family is incalculable. Her physical health has been
19 affected and in addition she has had to obtain counseling
20 just to be able to cope with the situation. Other members
21 of the family have also been strongly affected emotionally
22 and financially by the death. Her daughter and son-in-law
23 went into a different business and are now living out of
24 state. She does not get to see her granddaughter as much as
25 she would if they were still in the area. The granddaughter,
26 of course, is deprived of ever knowing her grandfather and

1 III. THE VICTIM: (Continued)

2 also of inheritance that her grandfather probably would have
3 arranged for her.

4 Mrs. Allen states that she has felt that she is as
5 much in prison and isolated as is the man who committed the
6 offense. She felt that she was residing in one of the most
7 protected areas available in the community. She now feels there is
8 no safety anywhere. She has not been able to discuss her
9 feelings with her friends as talking about the incident seems
10 to frighten them. She is concerned about her youngest
11 daughter who has not been able to express her emotions.

12 Mrs. Allen stated that she is not a revengeful
13 person and has mixed feelings as to his sentence. She wants
14 to be able to forgive so she can let go of her anger and
15 hurt and go on with her life. She objects to the sentence
16 he will get, however, as he is the one who actually killed her
17 husband.

18 Victim's Loss

19 Mrs. Allen stated that there is no way to
20 calculate the full extent of monetary loss. In addition to
21 the items stolen by the culprits, she has lost her husband's
22 support and was totally dependent on him for support. She
23 no longer has health insurance, is not old enough to
24 qualify for widow's social security and is experiencing
25 financial difficulties.

26 On October 6, 1981, Mr. Verigen, the victim's

1 III. THE VICTIM: (Continued)

2 son-in-law, reported to the probation officer that Mr. Allen's
3 stolen briefcase contained a number of varied gold coins
4 and jewelry items. Some of the items were "one of a kind" and
5 were, therefore quite valuable. The gold and jewelry were
6 valued in excess of \$50,000.00. In addition, there were
7 a number of unmounted diamonds of unknown value in the
8 briefcase. The victim's diamond ring, taken from his finger,
9 was valued at approximately \$40,000.00. Only a few of the
10 gold coins and a necklace were recovered by Sheriff's
11 officers.

12
13
14
15 IV. CRIMINAL RECORD:16 Prior Convictions

17 The defendant's CII Arrest Record #A07051203 is
18 attached for the Court's information. Additional information
19 has been received from FBI Record #0277006P5 and from
20 Wisconsin Arrest Record #WI013035Y.

21 September 11, 1975, Theft from a Car, Waukesha,
22 Wisconsin PD Rpt. #75-1833-1835: The defendant, on
23 September 10, 1975, entered an automobile and removed a
24 cassette tape player and three cassette tapes. Also
25 implicated in the offense were three juveniles. They had
26 all been entering automobiles and removing items.

IV. CRIMINAL RECORD: (Continued)

Disposition: December 9, 1975, pled guilty, \$200 fine plus costs or 60 days in the county jail.

Prior Arrests

July 16, 1981, Three Counts of Robbery, Whitewater Wisconsin PD: On December 11, 1980, a man, subsequently identified as Donald Cronk accosted the employees of Hardees' Restaurant at 3:30 a.m. as they were closing. He wore a ski mask and pointed a dark colored gun at the employees. He demanded that they all lay down on the floor and that they give him the money. He was given the restaurant's night deposit bag which contained \$2,300.00. On October 30, 1980, the clerk at the Whitewater Quick Stop Market was approached by a man, identified as Donald Cronk, who pointed a gun at her and ordered her to lay on the floor. He then removed \$360.00 from the cash register and fled. On November 12, 1980, a man, identified as Donald Cronk, approached an employee of Hungri's Restaurant at closing time. He ordered her back into the store, pointed a gun at her and a second employee and demanded the receipts. He ordered her to remove the padlock from the cash drawer and took \$696.17. He threatened to shoot them if they moved before they heard a car leave. On October 22, 1980, the defendant cashed a check forged on the account of his brother David Cronk. The check was in the amount of \$25.00. (Report #80-2929, 80-3179 80-3304A and 80-3304) Disposition: Pending. A hold has been

1 IV. CRIMINAL RECORD: (Continued)

2 placed on the defendant in the Sacramento County Jail and
3 Wisconsin authorities are waiting the outcome of the instant
4 offense.

5 May 20, 1982, 4573.6 P.C., Possession of Contraband
6 in Prison, 4574 P.C., Possession of Weapons in Prison, SSO
7 Rpt. #82-37966: Officers were conducting a shake down
8 search of the Sacramento County Jail and discovered two
9 jail made "shanks" and a hypodermic kit in the defendant's
10 cell. Disposition: July 26, 1983, Docket #61038F, both
11 charges dismissed.

12
13
14
15 V. SOCIAL HISTORY:16 Education

17 The defendant dropped out of Mukwonago High School
18 in Mukwonago, Wisconsin, during the first semester of the 11th
19 grade. He stated that he was not in trouble in school but was
20 bored with school and wanted to quit and go to work. In
21 addition, his father had died and his mother was ill. He
22 subsequently obtained his GED through the American
23 Correspondence Academy in Wisconsin.

24 Employment

25 The defendant has been incarcerated for three
26 years so has no recent employment. He was last employed

1 V. SOCIAL HISTORY: (Continued)

2 between 1977 and 1980, as a service manager for LaBries
3 Waterbeds. Prior to that he had been a warehouseman for
4 Jason and Sons for approximately seven months.

5 Family History

6 The defendant is single and has resided in the
7 Sacramento County Jail for the past three years. He and
8 Mary Kreil were married in 1973. One daughter, now age 7,
9 was born to that union, which ended in divorce in 1980.

10 The defendant was born in Milwaukee, Wisconsin, and
11 reared in Palmyra, Wisconsin. He described it as a farming
12 community and he grew up on his family's small farm. He
13 had a very close relationship with his father who died when
14 the defendant was 17 years old. He is also close to his
15 mother and three siblings.

16 The defendant's mother writes that she cannot
17 believe that this is happening to her son as he was always
18 a kind, thoughtful, sensitive, gentle, tenderhearted and
19 loving person. He was an average student in school but
20 outgoing and had many friends. He went into a deep
21 depression after his father died. At the age of 18, he and
22 his wife were married. They lived with her mother for a
23 while but that did not work and his wife left and moved to
24 California to stay with her father. After a short time, she
25 asked her husband to join her in California, which he did.
26 Mrs. Cronk stated that she seldom heard from her son while he

1 V. SOCIAL HISTORY: (Continued)

2 was in California and really does not know much about his
3 life here. He remained in California even though his wife
4 left and returned to Wisconsin.

5 Mrs. Cronk states that prior to leaving Wisconsin,
6 her son had a "nervous breakdown". In mid-1980, she received
7 word through Donald's friend that her son had a "nervous
8 problem" and was being held in a crisis center in
9 California. He returned to Wisconsin in August of 1980, "to
10 rest and to come to terms with himself". He was not able to
11 find employment there, however, so left after approximately
12 two months. She stated that although her son has shown some
13 leadership qualities, he is also a follower and has "given
14 in" under the stress of peer pressure.

15 The defendant's sister, Kevée Lynn Kienast writes
16 that the defendant is dearer to her than anyone on earth. She
17 was four years old when he was born and they were very close.
18 He has always worked hard and seemed to have a drive to "prove
19 that he was somebody". She states that she worries about his
20 wellbeing night and day, especially if he is sentenced to
21 prison. He is not a hardened criminal and "if given a chance
22 to prove himself could be an asset to others". He knows how
23 much his actions have hurt the family and has expressed
24 regret.

25 The defendant's other sister, Pamela Vetta, writes
26 that she feels she is writing about a stranger as the wonderful

1 V. SOCIAL HISTORY: (Continued)

2 brother she knew could not be in this situation. He was
3 "the sort of boy who all his friends parents wanted their
4 children to emulate because he was so straight. I've always
5 known Donny to be loving, truthful and ambitious". After he
6 came to California, he became a stranger but she continued
7 to love him dearly and would do anything possible to help
8 him.

9 Agency and/or Collateral Contacts

10 Psychological/Psychiatric/Medical

11 Doctor David E. Smith, examined Mr. Cronk at the
12 Sacramento County Jail on July 11, 1982, and also reviewed
13 a psychiatric report prepared by Dr. Fredrick Whipple. Dr.
14 Smith states:

15 "Based on this information it is my opinion that
16 Mr. Cronk was a compulsive abuser of high doses of
17 cocaine starting in late 1979 and abused alcohol
18 primarily as a depressant with the stimulant effect
19 of cocaine. At the time of the crime in December of
20 1980, he was compulsively using cocaine either by
21 smoking cocaine freebase or injecting cocaine at a
22 very high dose level of 5 or 6 grams per day, drink-
23 ing two to four six-packs of beer primarily in the
24 evening as well as 6 to 8 10mgs. of Valium in a
25 classic upper-downer drug abuse cycle. At the time
26 of the crime he was not suffering a cocaine psychosis
characterized by paranoia with ideas of reference,
auditory and visual hallucinations. He was however,
addicted to cocaine, utilizing our definition which
is 'compulsion, loss of control and continued use
in spite of consequences.'

"In my opinion, Mr. Cronk, who did not have a criminal
record prior to his compulsive use of cocaine,
Manifested personality change and life-style change
with his criminality being associated with his
compulsive cocaine abuse. Had he not become addicted

1 V. SOCIAL HISTORY: (Continued)

2 "to cocaine during the time of the crime, I believe
3 the robbery and murder of December 1980 would not
4 have been committed, as its purpose was to gain funds
5 in order to support his compulsive cocaine habit.
6 The crime however, was goal oriented and was not the
7 manifestation of a cocaine psychosis".

8 Doctor Pierce Rooney, Director of Forensic
9 Pathology for the Sacramento County Coroner's Office, examined
10 the defendant on September 12, 1983. He concluded that four
11 scars on the defendant's body were suggestive of gunshot
12 type scars. They may represent the entrance and exit holes
13 of two gunshot wounds. Two of the scars were on the anterior
14 and posterior lateral portion of the left arm. The others
15 were on the nipple line of the anterior left chest and the
16 left back approximately eight and three quarter inches below
17 the shoulder.

18 The defendant's ex-wife reported to Whitewater
19 Wisconsin Police officers that Mr. Cronk had attempted
20 suicide by overdosing on aspirin and was hospitalized around
21 February of 1978. Following this, he went to counseling in
22 Jefferson County. She stated that he had trouble "coping
23 with life". No medical confirmation of this has been obtained.

24 Special Investigation Agencies

25 Rod Harmon, of Harmon Investigators reported by
26 phone that there are serious problems with the physical
evidence and some of the evidence has been destroyed. He
felt that Mr. Ogle, the criminalist from Valley Toxicology

1 V. SOCIAL HISTORY: (Continued)

2 could explain that problem in more detail. Mr. Harmon stated,
3 however, that of all the clients he has had over the years,
4 Mr. Cronk is the only one that he would not hesitate to
5 have as a friend on the outside. He seems to genuinely
6 care about other people and from the very beginning was
7 willing to pay the penalty for his actions. He seems very
8 different from the usual criminal and incarceration is such
9 a waste. Even jailers, who have gotten to know the defendant,
10 have reported that he is different from the others. Mr.
11 Cronk believed he had shot the victim as that is what he was told.

12 Mr. Robert Ogle, Criminalist with Valley
13 Toxicology was contacted by phone. He stated that his job
14 was to attempt to reconstruct the scene of the crime which
15 was severely hampered by the destruction of the defendant's
16 weapon. When that weapon was recovered, three bullets had
17 been fired and three were not fired. When the Crime Lab
18 test fired the gun, they used a copper jacketed bullet and
19 that shot matched a bullet recovered from the shed. The
20 fatal bullet, recovered from Mr. Allen, however, was lead and
21 the Crime Lab did not test fire a lead bullet. Authorities
22 also did not document the type of bullet left in the
23 weapon or from the three expended casings. The fatal
24 bullet was a Winchester Western Super-semi Wad Cutter. Be-
25 cause of the lack of documentation and the destruction of
26 the weapon he was not able to prove that the fatal bullet

1 V. SOCIAL HISTORY: (Continued)

2 was fired from a gun other than Mr. Cronk's and by the same
3 token, the District Attorney was not able to prove that the
4 fatal bullet was fired by Mr. Cronk's gun.

5 Mr. Ogle stated that there was no evidence of a
6 third party in the house, when Mr. Allen returned home, but
7 there was a third party in the area at the time. Mr. Cronk
8 recalls the victim facing him at all times with the victim's
9 right side exposed to Mr. Cronk and his left side exposed to
10 Mr. Meyer. The defendant's statement fits the reconstruction
11 of the scene. The location of the bullets show the victim
12 pivoting and firing at Mr. Cronk as he pivoted. There were
13 four shots fired from Mr. Allen's weapon and the defendant
14 was hit three times. The defendant only recalls firing once
15 and that was after being hit himself.

16 There were seven projectiles recovered from the
17 scene. One copper casing was recovered on the walk in front
18 of the house which made it appear that the victim fired that
19 shot at Mr. Cronk as the defendant was fleeing.

20 Interested Persons

21 Christopher Shirley writes that he and the
22 defendant became friends in April of 1978, while both were
23 working at LaBries Waterbeds. Mr. Cronk was regarded as a
24 "Work Alcoholic" which was causing marital problems. He and
25 the defendant began stopping after work for a few drinks and
26 then began the occasional use of cocaine. The use of cocaine

1 V. SOCIAL HISTORY: (Continued)

2 was initially only on weekends but after Mr. Cronk's marriage
3 terminated they had more opportunities to party together. By
4 approximately August of 1978, cocaine began playing a major
5 role in both his and the defendant's lives. Mr. Shirley
6 states "it was instant satisfaction without the hard work and
7 easy to obtain". Mr. Cronk then met Glenn Meyer and Charles
8 Lovely. Mr. Shirley states "Don had confided to me that he
9 was stealing from work and that Chuck was supplying him with
10 customers who paid well for their merchandise. This was
11 additional money for additional coke. I was also in debt
12 continuously so I had stolen some merchandise from my place
13 of employment for Chuck Lovely directly".

14 Mr. Shirley wrote that he left Sacramento and
15 changed his life style in early 1980, after which he had
16 little contact with Mr. Cronk. He has, however, visited
17 the defendant in jail and states that "Don has expressed
18 sincere remorse over his actions". He feels that the
19 defendant has "paid for his transgressions over and over in
20 his heart and that it is something that will be with him for-
21 ever."

22 The defendant's ex-girl friend who was 16 years old
23 at the time the offense was committed has talked with this
24 officer by phone and has written a letter. She stated that
25 she is not too clear about all of the details at the time as
26 she was also using a lot of cocaine. She feels that Chuck

1 V. SOCIAL HISTORY: (Continued)

2 Lovely was the one who planned everything and after the
3 culprits were arrested, Mr. Lovely told her not to mention
4 his name in connection with the offense. She has
5 corresponded with the defendant. She stated that the last
6 time she saw Mr. Cronk was when she went to stay with him
7 at the motel in San Jose. She then had no contact with him
8 until March of 1984, when she visited him in jail. They have
9 corresponded since that time. She states "I'm truly surprised
10 in the change in Mr. Cronk's attitude. His mind appears
11 clear again and he expresses more concern for other people
12 than he used to. He realizes what he has done and in a way is
13 glad that he has been stopped from his life of drugs and
14 crime".

15 A friend, Mary Jane Turner, writes that she has
16 known the Cronk family for thirty years and Donald always
17 had a lot of friends and had a "very gentle loving heart".
18 She cannot believe that he is where he is, considering his
19 upbringing and good character".
20
21
22

23 VI. CONTROLLED SUBSTANCES:

24 The defendant states that he drank alcohol socially
25 but that he never had a problem with it.

26 The defendant acknowledges that he had a problem

VI. CONTROLLED SUBSTANCES: (Continued)

with cocaine. He was snorting up to 2 grams of cocaine a day and freebasing it at parties. He was also using quite a bit of marijuana. He was at the point where he would wake up at night to have a fix. He tried to get away from cocaine but couldn't and even went to two different crisis centers, one in 1978 and one in 1979. He was turned away as cocaine was supposedly not addicting. His need for cocaine, and obtaining the money to purchase it, were the direct cause of the present offense.

VII. EVALUATION:

The defendant is ineligible for probation pursuant to Section 1203.06 of the Penal Code. Even if the defendant were eligible for probation, probation would not be recommended due to the nature of the offense.

This 28 year old defendant, who was 25 years old at the time the offense was committed, has no significant prior record. He became heavily involved in the use of cocaine and planned with three others to obtain money by burglarizing the home of James Allen and robbing him of a large diamond ring. He and Glenn Meyer entered the victim's home and waited for his arrival. The victim was somehow alerted to their presence in his home and entered with his

1 VII. EVALUATION: (Continued)

2 gun drawn. A shoot-out ensued in which the victim was shot
3 and killed. Donald Cronk was shot at least two times by the
4 victim, but survived. The victim's briefcase which contained
5 coins, gold and diamonds and his diamond ring were taken.

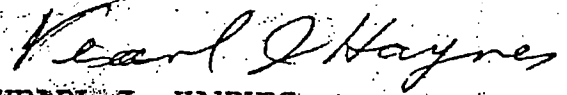
6 It is recommended that the defendant be sentenced
7 to the Department of Corrections for the term prescribed by
8 law of twenty-five (25) years to life for violation of Section
9 187(a) of the Penal Code, Murder in the First Degree, as
10 alleged in Count One. It is further recommended that the
11 sentence be enhanced by two years for the use of a firearm
12 pursuant to Section 12022.5 of the Penal Code for a total
13 prison term of twenty-seven (27) years to life. ^A

VIII. RECOMMENDATION:

Therefore, it is respectfully recommended that the defendant be sentenced to State Prison for the term prescribed by law and further, that this term be enhanced by an additional two year sentence.

Respectfully submitted,

ROBERT E. KELDGORD
CHIEF PROBATION OFFICER


VEARL J. HAYNES
SR. DEPUTY PROBATION OFFICER

APPROVED: 
JAMES W. NEWBERRY, SUPERVISING PROBATION OFFICER

VJH:jh
5/15/84
Attachments

NEWS FROM TiPS

Formerly known as Voters Corrections Reform Coalition (VCRC), this past November we changed our name to Taxpayers for Improving Public Safety (TiPS) for better name recognition & appeal with the public. All prior paperwork and membership details under VCRC were automatically transferred to TiPS, so the only thing members need to do is keep their union dues current. TiPS (along with our California Prisoners Union), is the **only** legitimate union representing inmates, wards, parolees, probationers, and their families.

LOBBY DAY: on April 19th they'll have their annual "Lobby Day" in Sacramento, where members of TiPS will come up to the State Capitol for the day to meet with Legislators and staff to discuss prison issues. Our members are the backbone of our political power, so all those who are able are encouraged to attend.

ISL INMATES & FOREIGN NATIONALS: in addition, thru TiPS our lobbyists are sponsoring several pieces of legislation this year ranging from removing politics from parole (for ISL inmates) and having a fair Board, to sending 18,000 undocumented inmates who are foreign nationals back to their home countries. Within the next 3 years we hope to send 25,000 inmates back home to their families.

POLITICAL EMPOWERMENT: the line has been drawn in the sand. The prison reform community – thru TiPS – is taking back their rights from the law enforcement special interests who see inmates as dollar signs. We have the high potential for more members and financial backing, and finally we are now building the unity thru TiPS to flex our political muscles and restore fairness to corrections.

THREE STRIKES: we continue to analyze the different initiative proposals coming out of the LA District Attorney's office, and Calif. District Attorney's Association. While TiPS staff will make recommendation to our members, it will ultimately be up to our members to vote on TiPS official position – to support or oppose the initiative's final version. Want your vote to count? You have to be a member. For more information on memberships visit us online at www.ForPublicSafety.com or write to us at: TiPS, P.O. Box 255456, Sacramento, CA 95865.

- Matthew Gray

BPH STATISTICS

Note: We have two separate and slightly different compilations of statistics for 2005. This one seems to be the most accurate:

BPH 2005 Lifer Hearings

<u>Suitability decisions:</u>	(2,023)	<u>Unsuitable:</u>	1,882
Parole grants:		1-year denials	715
First degree murder	28	2-year denials	582
Second degree murder	95	3-year denials	234
Kidnaps	12	4-year denials	201
Attempted murder	5	5-year denials	149
P.C. §12310(c)	1		
Total parole grants:	141		

Governor's 2005 Statistics

<u>Non-Murder cases reviewed</u>	(34)
Referred to en banc	29
No action (approved)	05
<u>First degree murder cases reviewed</u>	(38)
Reversed	34
No action (approved)	04
<u>Second degree murder cases reviewed</u>	(151)
Reversed	131
No action (approved)	20

Court Decisions...from page 7**No evidence supports boilerplate grounds for unsuitability (cont'd)****IN RE SEYMOUR**

2004 WL 2749090 (11-24-04) (unpublished) (#)

The Court of Appeal affirmed in full the San Luis Obispo County Superior Court's second decision vacating a BPT panel's finding of unsuitability because its grounds were supported by no evidence, and ordering Michael James Seymour's release on parole because, having reviewed the evidence and finding none supporting unsuitability, further adjudication of Seymour's suitability would amount to an "idle act."

The Superior Court had once before referred Seymour for a new parole hearing after a previous panel's determination was supported by no evidence. The Court of Appeal held also that BPT was estopped from relitigating the validity of the Superior Court's previous decision.

California Supreme Court records reflect that BPT has not yet sought further review. Seymour's counsel and the PLO have requested publication.

IN RE THEODORE JOHNSON

Los Angeles Superior Court BH002743

Court of Appeal 2d Dist. B161691

After serving 23 years for the second degree murder of his wife committed during a domestic dispute, Theodore Johnson is free at last. In mid-2002, the Los Angeles County Superior Court, finding no evidence in the record in support of the BPT panel's finding of unsuitability, ordered Johnson's parole. The Court of Appeal agreed but remanded for a new parole hearing. BPT conducted that hearing and found Johnson suitable.

As expected, Gray Davis reversed the Board, citing, as usual, the boilerplate adjectives and phrases that the Superior Court and Court of Appeal had stricken for lack of evidence ("especially cruel and callous crime," "needs further therapy"). Consequently, the Superior Court set aside the Governor's action and again ordered Johnson's release. At the urging of Johnson's counsel, Keith Wattley (PLO), the Governor did not appeal the new order. In early January, Theodore Johnson was finally released on parole.

IRONS V. WARDEN, CSP Solano (#)

U.S. Dist. Ct., ED Ca; 01-29-05; no. 04-0220.

The federal court found no evidence to support any ground stated by the panel for finding Carl Irons unsuitable for parole at his fifth hearing in 2001, and ordered BPT to conduct a hearing within 30 days to determine Irons' prison term and to release him on parole if said term has lapsed. Irons was convicted of second degree murder in 1985.

The Court held the "some evidence" standard to be satisfied only by evidence with an indicia of reliability, and relied heavily on *Biggs v. Terhune*, 334 F.3d 910 (9th Cir, 2003) (#) in reiterating that continued denial of parole, as in Irons' case, to an otherwise parole-suitable lifer, based on unchangeable factors of the commitment offense, abrogates due process by converting the prison term to life without the possibility of parole.

The federal judge also rejected the Attorney General's oft-stated notion that claims originating from Irons' 2001 hearing were moot because he attended two subsequent hearings at which parole was also denied.

FINAL 2004 LIFER PAROLE STATISTICS

According to BPT, for the year 2004, it conducted 2,813 parole hearings for all lifers, of which its panels found 199 lifers (7.4%) suitable for parole.

Governor Schwarzenegger reversed 64% of first and second degree murder cases he reviewed in 2004 (*), allowing 20 of 55 first degree case grants and 52 of 146 second degree case grants to parole.

(*) The number of cases reviewed by the Governor does not coincide with the number of BPT parole grants in murder cases because numerous 2003 grants were reviewed in 2004 and many 2004 grants have not yet been reviewed.

There are significant statistical differences between these figures and those released by the Governor's office. E.g., BPT's figures for the number of hearings and total grants doesn't align with the Governor's or allow for the significant numbers of non-murder cases considered. We hope to resolve the discrepancies by the next issue.

BPT ORDERED TO PRODUCE TRANSCRIPTS**In re MORRIS BRAGG (#)**

Santa Clara County no. 108543 (Pending)

In November, the Court ordered the Attorney General to submit all BPT parole decisions (the final portions of parole hearing transcripts) rendered between August and October, 2004, to be followed by an evidentiary hearing, to determine whether BPT's panels employ the gravity of the commitment offense to justify every parole denial. *Dannenberg* imposes obstacles to the petitioner's efforts in the Court of Appeal.

Editor's Notes: CITATION OF UNPUBLISHED OPINIONS IS SOMETIMES PERMITTED

Rule 977(b) of the California State Rules of Court (#) permits the citation of and reliance upon unpublished opinions (1) when the opinion cited is relevant under the doctrines of law of the case, res judicata, or collateral estoppel, or (2) when the opinion is relevant to a criminal or disciplinary action because it states reasons for a decision affecting the same defendant or respondent in another such action.

Subsection (c) of the Rule requires that a copy of the unpublished opinion cited or relied on must be furnished to the court and all parties by attaching it to the document in which it is cited.



'I'M GIVING YOU A LONGER SENTENCE AS YOU'VE GOT MORE LIFE LEFT.'

1 BILL LOCKYER
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Chief Assistant Attorney General
3 PAUL D. GIFFORD
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Attorneys for Respondent

10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF LOS ANGELES
13

14 In re

15 RICHARD ANTHONY DAVIS,
16

17 On Habeas Corpus.
18

Case No. BH 001820

DECLARATION OF THOMAS J.
REMY

19 I Thomas J. Remy, declare as follows:

- 20 1. I am employed by the California Board of Prison Terms (BPT) as a Legal Analyst at
21 the BPT's central office in Sacramento, California. I have been employed by the BPT since 1982.
22 I have been assigned to the legal unit since 1988, and have held the job title of legal analyst for
23 approximately two years. If sworn as a witness, I would be competent to testify to the facts
24 contained herein as they are within my personal knowledge.
- 25 2. Within the legal unit, my regularly assigned duties have at all times included
26 responsibilities for accurately collecting, compiling and maintaining information associated with
27 the results of life term inmate parole consideration hearings at which a finding of suitability has
28 been proposed. This includes maintaining records and data compilations showing the numbers of

1 parole hearings, the commitment offense, the results of parole hearings, the results of internal
2 decision review within the BPT and the results of subsequent actions taken by the BPT and/or the
3 Governor concerning proposed parole suitability decisions.

4 3. I maintain these data compilations and associated reports based on documents which I
5 regularly receive following completion of parole hearings as conducted by BPT commissioners
6 and deputy commissioners, and following the outcome of subsequent decisions within the BPT
7 and the Governor's office as reported in writing. I also maintain information documenting the
8 release of life prisoners after a proposed decision has become effective. The information I compile
9 is relied upon and used to produce reports or other data compilations as required by various
10 administrative and statutory directives.

11 4. At the request of the California Attorney General's Office, I prepared information in
12 April 2001 which was presented as an informational exhibit, designated "Exhibit 200", pursuant to
13 an evidentiary hearing held at Richard J. Donovan State Prison as part of a state habeas corpus
14 action, *In re Sheets*, et al., San Diego Superior Court Cases No.'s HSC10270, 10324, 10336,
15 10279 and 10329. Exhibit 200 presented data associated with BPT parole actions sorted by inmate
16 names, proposed suitability decisions, decisions made effective, decisions forwarded to the
17 Governor, and the results of the Governor's reviews for January 1, 1991 through approximately
18 April 15, 2001. I prepared the exhibit from the business records which I regularly maintain in my
19 duties as a legal analyst at the BPT. I am aware that Exhibit 200 was admitted into evidence by
20 the trial judge in the *Sheets* matter.

21 5. Between January 8, 2002 and April 1, 2002, I updated the previously referenced data
22 compilation (Exhibit 200) to reflect information compiled through the end of March 2002, relying
23 upon the records I regularly maintain.

24 I declare under penalty of perjury that the foregoing is true and correct. This declaration
25 was executed on April 2, 2002, County of Sacramento, State of California.

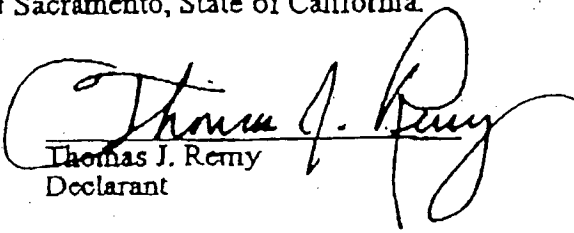
26
27
28

Thomas J. Remy
Declarant

EXHIBIT 10A

January through March 2002

Approximate number of life parole consideration hearings:
1400

Proposed suitability decisions: 37

Andrews B-80774
Ayala H-35316
Boyd D-03168
Crawford W-17776
Criscione C-08692
Denney C-45201
Dominguez E-88038
Esquivel C-08411
Fleming D-42602
Freeman C-52072
Gibson C-27414
Gonzales C-19276
Gracia W-25789
Hall E-17767
Hoxie B-97763
Kim D-52181
Kim D-52185
Lara C-22194
Ledesma C-48212
Minor C-25542
Montoya W-17575
Morales C-56981
Munoz W-31783
O'Connell C-47331
Prum C-21358
Ramos C-60833
Ramp W-29812
Rodriguez C-30985
Sandoval D-19576
Schulz W-22767
Stewart C-33018

Suarez W-17419

Tarver B-87919

January - March 2002 continued

TomRemy 4/2/02

Tokhmanian D-12217

Vergara E-23542

Wallis D-26901

Woodmore W-26904

Effective grants: 24

Anderson C-09715

Baker C-95952

Battee D-16811

Beeman C-10840

Boone D-37952

Boston C-32763

Boyd W-25189

Briones W-25038

Caetano W-24065

Carr H-19550

Corcoran C-75505

Diamond W-12510

Ginsburgs B-89097

Hamilton C-22546

Jauregui D-98794

Kemp C-87770

Lewis B-83314

Martinez C-61422

Mingura W-56533

Moreno B-67024

Owens C-63291

Sellers W-21852

Singer C-44947

Yniguez W-20689

January - March 2002 continued

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

**Anderson C-09715
Baker C-95952
Battee D-16811
Beeman C-10840
Boone D-37952
Boyd W-25189
Briones W-25038
Caetano W-24065
Corcoran C-75505
Diamond W-12510
Ginsburgs B-89097
Hamilton C-22546
Jauregui D-98794
Kemp C-87770
Lewis B-83314
Martinez C-61422
Moreno B-67024
Owens C-63291
Sellers W-21852
Singer C-44947
Yniguez W-20689**

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

**Amaro D-69421
Barber E-80872
Boston C-32763
Jordan C-39094
Martin D-06844
Miller C-51648**

January – March 2002 continued

Reversed: 20

**Anderson C-09715
Baker C-95952
Beeman C-10840
Boone D-37952
Briones W-25038
Caetano W-24065
Corcoran C-75505
Cray B-89640
Diamond W-12510
Ginsburgs B-89097
Harmon C-56404
Kemitch C-72999
Kemp C-87770
Lewis B-83314
Ly E-06377
Martinez C-61422
Moreno B-67024
Morton C-53865
Owens C-63291
Yniguez W-20689**

Referred en banc: 5

**Barber E-80872
Boston C-32763*
Medeiros H-48212**
Miller C-51648
Young B-72883**

Modified: 0

No action taken: 0

*BPT en banc: schedule a rescission hearing

**BPT en banc: affirmed release date; released

Released: 6

Barrett C-87599

Leturgey C-13550

Liu D-64422

Medeiros H-48212

Rincon D-01828

Squyres C-61584

2001

Total number of life parole consideration hearings: Approx . 3550

Proposed suitability decisions: 82

Aguirre W-18142
Allen W-39502
Amaro D-69421
Anderson C-09715
Arevalo C-04938
Baker C-95952
Barrett C-87599
Barron C-33124
Basden C-02645
Battee D-16811
Beeman C-10840
Boone D-37952
Boston C-32763
Boyd W-25189
Briones W-25038
Cabral C-72483
Caetano W-24065
Carr H-19550
Chandler D-07980
Chattman C-05576
Corcoran C-75505
Cray B-89640
Daniels C-79998
Diamond W-12510
Douglas E-11133
Eastman C-81650
Espinoza E-11462
Esquivel C-08411
Frias B-90588
Ginsburgs B-89097
Gottlieb C-22353
Gray C-30549
Hamilton C-22546
Harmon C-56404
Hinkles C-05011
Holden C-39050
Holder E-87291
Jauregui D-98794
Johnson B-88644
Johnson C-51674

2001, continued

Proposed suitability decisions (cont.)

Jones E-25463
Jordan C-39094
Kemitch C-72999
Kemp C-87770
Lambert W-17326
Leturgey C-13550
Lewis B-83314
Licon H-29159
Lindley C-23911
Liu D-64422
Ly E-06377
Martin D-06844
Martinez C-61422
Martinez D-11135
McClendon C-55324
McSwain C-78644
Mills C-77630
Mingura W-56533
Moreno B-67024
Morrall C-69912
Morton C-53865
Murr B-87723
Owens C-63291
Pacheco W-16769
Pluth C-00127
Porter E-31369
Ragusa D-70729
Rincon D-01828
Robinson H-56216
Rogers D-17219
Scott D-72403
Sellers W-21852
Shade D-01781
Singer C-44947
Smith C-23004
Squyres C-61584
Stokes C-59126
Taylor C-54340
Thomas B-73496
Thompson D-21162
Yniguez W-20689
Young B-72883

2001, continued

Proposed suitability decisions made effective:

59

Aguirre W-18142
Allen W-39502
Anchondo C-82608
Arevalo C-04938
Barber E-80872
Barrett C-87599
Barron C-33124
Basden C-02645
Chandler D-07980
Chattman C-05576
Crawford C-88729
Crawford W-17776
Cray B-89640
Daniels C-79998
Douglas E-11133
Dryman W-15931
Eastman C-81650
Freeman C-52072
Frias B-90588
Gallegos E-52064
Goldsby C-97620
Hamai E-79839
Harmon C-56404
Herrera D-66607
Hinkles C-05011
Holden C-39050
Ignacio C-51235
Johnson B-88644
Jones E-25463
Kemitch C-72999
Kemp C-87770
Kunkler C-82193
Leturgey C-13550
Lewis B-90593
Licona H-29159
Lindley C-23911
Liu D-64422
Ly E-06377
Martinez D-11135
McClendon C-55324
Minor C-25542
Morrall C-69912

2001, continued

Proposed suitability decisions made effective (cont.)

Morton C-53865
Murr B-87723
Pluth C-00127
Porter E-31369
Ragusa D-70729
Rincon D-01828
Scott D-72403
Skinner C-83838
Smith C-23004
Squyres C-61584
Stokes C-59126
Taylor C-54340
Thompson D-21162
Tokhmanian D-12217
Yniguez W-20689
Young B-72883
Zamora B-83998

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Aguirre W-18142
Allen W-39502
Arevalo C-04938
Barron C-33124
Chandler D-67980
Chattman C-05576
Crawford W-17776
Cray B-89640
Dryman W-15931
Eastman C-81650
Freeman C-52072
Frias B-90588
Goldsby C-97620
Harmon C-56404
Hinkles C-05011
Holden C-39050
Ignacio C-51235
Johnson B-88644
Kemitch C-72999
Kunkler C-82193
Lindley C-23911
Ly E-06377
Martinez D-11135

2001, continued*Decisions forwarded to Governor pursuant to Penal Code section 3041.2 (cont.)*

McClendon C-55324

Minor C-25542

Morrall C-69912

Morton C-57865

Murr B-87723

Pluth C-00127

Porter E-31369

Scott D-72403

Skinner C-83838

Smith C-23004

Thompson D-21162

Tokhmanian D-12217

Yniguez W-20689

Zamora B-83998

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Barrett C-87599

Baden C-02645

Daniels C-79998

Hamai E-79839

Herrera D-66607

Leturgey C-13550

Lewis B-90593

Licon H-29159

Liu D-64422

Martinez C-89969

Medeiros H-48212

Peralo D-06447

Rincon D-01828

Sarmiento D-20964

Squyres C-61584

Stokes C-59126

Taylor C-54340

Young B-72883

2001, continued

Reversed by Governor: 36

Aguirre W-18142
Allen W-39502
Arevalo C-04938
Barron C-33124
Chandler D-07980
Chattman C-05576
Crawford W-17776
Dryman W-15931
Eastman C-81650
Freeman C-52072
Frias B-90588
Goldsby C-97620
Hinkles C-05011
Holden C-39050
Ignacio C-51235
Kunkler C-82193
Jackson W-16298
Johnson B-88644
Lindley C-23911
Martinez D-11135
McClendon C-55324
Miller C-51648
Minor C-25542
Morrall C-69912
Murr B-87723
Pluth C-00127
Porter E-31369
Sanchez C-43560
Scott D-72403
Skinner C-83838
Smith C-23004
Thompson D-21162
Tokhmanian D-12217
Yambao C-17329
Yniguez W-20689
Zamora B-83998

2001, continued

Referred en banc to BPT by Governor: 17

Anchondo C-82608*
Barrett C-87599
Basden C-02645**
Daniels C-79998**
Gallegos E-52064**
Herrera D-66607**
Leturgey C-13550
Lewis B-90593**
Licon H-29159*
Liu D-64422
Martinez C-89969*
Peralo D-06447***
Rincon D-01828**
Sarmiento D-20964**
Squyres C-61584**
Stokes C-59126*
Taylor C-54340*

*BPT en banc: schedule a rescission hearing

**BPT en banc: affirmed release date; released

***BPT en banc: schedule a rescission hearing; rescission hearing affirms release date, released

Modified: 0

No action taken: 0

2000

Total number of life parole consideration hearings: Approx. 2175

Proposed suitability decisions: 51

Alaniz C-58163
Anchondo C-82608
Andrade W-28038
Barber E-80872
Barrientez D-29258
Barrientos D-49446
Battee D-16811
Brown C-88184
Calderon C-74749
Carr B-21651
Crawford W-17776
Crawford C-88729
Dryman W-15931
Feliciano E-69714
Flores C-44235
Freeman C-52072
Gallegos E-52064
Goldsby C-97620
Hamaï E-79839
Herrera D-66607
Ignacio C-51235
Jackson W-16298
Kunkler C-82193
Ledesma C-48212
Lewis B-90593
Lewis D-64046
Liang C-52915
Martinez C-61422
Medeiros H-48212
Mewborn C-31391
Miller C-51648
Minichilli W-22390
Minor C-25542
Murr B-87723
Parker W-25811
Pinchot C-30345
Rangel C-66398
Rodriguez C-66666

2000, continued

Proposed suitability decisions: (continued)

Rosenkrantz D-34119
Sanchez C-43560
Skinner C-83838
Smith C-23004
Smith E-09591
Tokhmanian D-12217
Velasquez C-87564
Whipkey C-97826
Woods C-33998
Yambao C-17329
Yniguez W-20689
Young B-72883
Zamora B-83998

Proposed suitability decisions made effective:

26

Alaniz C-58163
Andrade W-28038
Barrientez D-29258
Barrientos D-49446
Battee D-16811
Brown C-88184
Calderon C-74749
Feliciano E-69714
Flores C-44235
Houston W-15036
Jackson W-16298
Ledesma C-48212
Liang C-52915
Martinez C-61422
Medeiros H-48212
Mewborn C-31391
Miller C-51648
Minichilli W-22390
Parker W-25811
Rodriguez C-66666
Rosenkrantz D-34119
Sanchez C-43560
Sawvell C-39140
Smith E-09591
Woods C-33998
Yambao C-17329

2000, continued

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Andrade W-28038
Barrientez D-29258
Battee D-16811
Flores C-44235
Jackson W-16298
Ledesma C-48212
Liang C-52915
Martinez C-61422
Miller C-51648
Parker W-25811
Rodriguez C-66666
Rosenkrantz D-34119
Sanchez C-43560
Smith E-09591
Sawvell C-39140
Woods C-33998
Yambao C-17339

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Alaniz C-58163
Anchondo C-82608
Barrientos D-49446
Brown C-88184
Calderon C-74749
Caldwell C-20280
Davis E-00026
Feliciano E-69714
Gallegos E-52064
Houston W-15036
Hummer D-85633
Lawrence C-28523
Mewborn C-31391
Minichilli W-22390
Wade W-15797
Woods W-30326

2000, continued

Reversed by Governor: 13

Andrade W-28038
Barrientez D-29258
Battee D-16811
Flores C-44235
Ledesma C-48212
Liang C-52915
Martinez C-61422
Rodriguez C-66666
Rosenkrantz D-34119
Smith E-09591
Sawvell C-39140
Woods C-33998
Yambao C-17339

Referred en banc to BPT by Governor: 14

Alaniz C-58163***
Barrientos D-49446**
Brown C-88184**
Calderon C-74749**
Caldwell C-20280^
Davis E-00026**
Feliciano E-69714**
Houston W-15036**
Hummer D-85633 **
Lawrence C-28523**
Mewborn C-31391**
Minichilli W-22390*
Wade W-15797***
Woods W-30326**

Modified by Governor (parole date kept, conditions altered): 1

Parker W-25811

No action taken by Governor (i.e., parole date left undisturbed): 0

- * BPT en banc: Schedule a rescission hearing
- ** BPT en banc: Affirmed release date; Released
- ***BPT en banc: Schedule a rescission hearing; Release Date affirmed; In Decision Review
- BPT en banc: Schedule a Rescission hearing; Release date affirmed. Released

1999

Total number of life parole consideration hearings: 1936

Initial hearings: 427
Subsequent hearings: 1509

Proposed suitability decisions: 21

Amaro D-69421
Bowie D-95261
Capistran D-12962
Cray B-89640
Davis C-55468
Harmon C-56404
Hinkles C-05011
Houston W-15036
Leturgey C-13550
Lewis B-87458
Marquez C-24523
Martinez C-61422
Martinez C-61422
Miller C-51648
Morrall C-69912
Rodriguez C-66666
Sawvell C-39140
Sawvell C-39140
Simmons C-17460
Smith W-15143
Viray C-51410
Rosenkrantz D-34119 (court-ordered grant)

Proposed suitability decisions made effective: 13

Barrientez D-29258
Capistran D-12962
Davis C-55468
Gallegos E-52064
Ledesma C-48212
McCoy C-31684
Mendoza C-54559
Miller C-51648
Morrall C-69912
Powell C-70394

1999, continued

Proposed suitability decisions made effective: (continued)

Rosenkrantz D-34119

Woods C-33998

Zheng D-42837

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Barrientez D-29258

Capistran D-12962

Davis C-55468

Ledesma C-48212

Mendoza C-54559

Miller C-51648

Morrall C-69912

Powell C-70394

Rosenkrantz D-34119

Woods C-33998

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Gallegos E-52064

Gocke C-05672

McCoy C-31684

Minor C-25542

Sylve C-77097

Zheng D-42837

Reversed by Governor: 10

Barrientez D-29258

Capistran D-12962

Davis C-55468

Ledesma C-48212

Mendoza C-54559

Miller C-51648

Morrall C-69912

Powell C-70394

Rosenkrantz D-34119

Woods C-33998

1999, continued

Referred en banc to BPT by Governor: 6

Gallegos E-52064#

Gocke C-05672#

McCoy C-31684*

Minor C-25542#

Sylve C-77097*

Zheng D-42837*

Modified by Governor (parole date kept, conditions altered): 0

No action taken by Governor (i.e., parole date left undisturbed): 0

*BPT en banc: Schedule a rescission hearing
#BPT en banc: Release date vacated
#Gallegos: Granted at next hearing; Released
#Gocke: Deceased
#Minor: Granted at next hearing; In Decision Review
*McCoy: Release date affirmed at rescission hearing; Released
*Sylve: Release date affirmed at rescission hearing; Released

1998

Total number of life parole consideration hearings: 2170

Initial hearings:	515
Subsequent hearings:	1655

Proposed suitability decisions: 38

Angulo E-46812
Barrientez D-29258
Basden C-02645
Black C-90537
Brown C-88184
Butts B-69675
Caldwell C-20280
Cloud D-78884
Davis E-00026
Dominguez C-01633
Donaldson C-90542
Evans B-86808
Frias B-90588
Gallegos E-52064
Howell D-15107
Jones B-78822
Lawrence D-28523
Ledesma C-48212
Maiden B-13044
Martinez C-80150
Martinez C-80150
Mason E-12189
Maynard C-08737
McClary W-13181
McCoy C-31684
Mendoza C-54559
Moya E-49553
Peralo D-06447
Powell C-70394
Samora C-20794
Sarmiento D-20964
Saunders B-15336
Sawvell C-39140
Tucker B-82832
Wade W-15797

1998, continued

Proposed suitability decisions: (continued)

Weiler C-23799

Woods C-33998

Zheng D-42837

Proposed suitability decisions made effective:

20

Alvarez D-49443

Angulo E-46812

Caldwell C-20280

Clark C-42792

Cloud D-78884

Davis E-00026

Donaldson C-90542

Frias B-90588

Howell D-15107

Jones B-78822

Lawrence D-28523

McClary W-13181

Moya E-49553

Peralo D-06447

Samora C-20794

Sarmiento D-20964

Saunders B-15336

Tucker B-82832

Wade W-15797

Weiler C-23799

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Caldwell C-20280

Clark C-42792

Donaldson C-90542

Frias B-90588

Jones B-78822

McClary W-13181

Peralo D-06447

Sarmiento D-20964

Saunders B-15336

Taylor B-70421

Tucker B-82832

Wade W-15797

Weiler C-23799

Woods W-30326

1998, continued

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Alvarez D-49443
Angulo E-46812
Angulo-Rodriguez W-36664
Cloud D-78884
DuBose C-69055
Hatter D-09577
Howell D-15107
Moya E-49553
Pham C-63503
Reilly C-89603
Samora C-20794
Tillman C-04085
Walker C-64776
Yarbrough C-58618
Young B-61435
Young W-28077

Reversed by Governor: 3

Frias B-90588
McClary W-13181
Weiler C-23799

Referred en banc to BPT by Governor: 3

Alvarez D-49443**
Howell D-15107**
Weiler C-23799**

Modified by Governor (parole date kept, conditions altered): 3

Clark C-42792
Taylor B-70421
Walker C-64776

**BPT en banc: Affirmed release date; Released

1998, continued

No action taken by Governor (i.e., parole date left undisturbed): 23

Angulo E-46812
Angulo-Rodriguez W-36664
Caldwell C-20280
Cloud D-78884
Donaldson C-90542
DuBose C-69055
Hatter D-09577
Jones B-78822
Martinez W-17365
Moya E-49553
Peralo D-06447
Pham C-63503
Reilly C-89603
Samora C-20794
Sarmiento D-20964
Saunders B-15336
Tillman C-04085
Tucker B-82832
Wade W-15797
Woods W-30326
Yarbrough C-58618
Young B-61435
Young W-28077

1997

Total number of life parole consideration hearings:- 2260

Initial hearings: 647
Subsequent hearings: 1613

Proposed suitability decisions: 19

Alvarez D-49443
 Angulo-Rodriguez W-36664
 Castillo C-11209
 Cayton C-15497
 Clark C-42792
 Fisher C-46339
 Frias B-90588
 Hatter D-09577
 Holmes C-07712
 Hummer D-85633
 Martinez W-17365
 Meek C-49113
 Rodriguez C-66666
 TaylorB-70421
 Walker C-64776
 Williams C-18101
 Woods W-30326
 Yates C-32056
 Young B-61435

Proposed suitability decisions made effective: 19

Angulo-Rodriguez W-36664
 Bates D-83588
 Camou C-19169
 Carter C-28888
 Cayton C-15497
 Contreras W-26443
 Figueroa C-18047
 Fisher C-46339
 Frazier C-53946
 Hatter D-09577
 Holmes C-07712
 Hummer D-85633
 Martinez W-17365

1997, continued

Proposed suitability decisions made effective: (continued)

Meek C-49113
Rodriguez C-66666
Vargas B-35042
Williams C-18101
Yates C-32056
Young W-28077

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Bates D-83588
Camou C-19169
Carter C-28888
Contreras W-26443
Figueroa C-18047
Fisher C-46339
Frazier C-53946
Hatter D-09577
Martinez W-17365
Rodriguez C-66666
Vargas B-35042
Williams C-18101
Yates C-32056
Young W-28077

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Ballard C-15996
Cayton C-15497
Cazares C-47416
Cobb C-86718
Correa C-19490
Hecker C-65520
Holmes C-07712
Lusk W-18231
Meek C-49113
Rodriguez C-34857
Weir C-68889

Reversed by Governor:

1

Rodriguez C-66666

1997, continued

Referred en banc to BPT by Governor: 2

Hecker C-65520*
Zamora B-83998*

Modified by Governor (parole date kept, conditions altered): 1

Williams C-18101

No action taken by Governor (i.e., parole date left undisturbed): 23

Ballard C-15996
Bates D-83588
Camou C-19169
Carter C-28888
Cayton C-15497
Cazares C-47416
Clemente C-06076
Cobb C-86718
Contreras W-26443
Correa C-19490
Figueroa C-18047
Fisher C-46339
Frazier C-53946
Hatter D-09577
Holmes C-07712
Lusk W-18231
Martinez W-17365
Meek C-49113
Rodriguez C-34857
Vargas B-35042
Weir C-68889
Yates C-32056
Young W-28077

*BPT en banc: Schedule a rescission hearing; Date rescinded

1996

Total number of life parole consideration hearings: 2273

Initial hearings: 569
Subsequent hearings: 1704

Proposed suitability decisions: 17

Bates D-83558
Camou C-19169
Carter C-28888
Cochran C-07955
Figueroa C-18047
Fransway B-95598
Hart C-70436
Howell D-15107
Ledesma C-48212
Moreno C-20413
Owen C-63676
Racca D-98573
Rosenkrantz D-34119
Simmons C-15316
Vargas B-35042
Yarbrough C-58618
Young W-28077

Proposed suitability decisions made effective: 8

Cochran C-07955
Garcia D-00236
Ledesma C-48212
Lusk W-18231
Macioce W-22468
Owen C-63676
Simmons C-15316
Yarbrough C-58618

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Cochran C-07955
Ledesma C-48212
Lusk W-18231
Owen C-63676

1996, continued

Decisions forwarded to Governor pursuant to Penal Code section 3041.2: (continued)

Simmons C-15316

Yarbrough C-58618

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Aris W-28867

Clemente C-06076

Garcia D-00236

Lewis W-17835

Lollis W-18963

Puzio C-39576

Santo C-67776

Sires D-07494

Tong C-33662

Zamora B-83998

Reversed by Governor: 2

Ledesma C-48212

Owen C-63676

Referred en banc to BPT by Governor: 0

Modified by Governor (parole date kept, conditions altered): 0

No action taken by Governor (i.e., parole date left undisturbed): 13

Aris W-28867

Cochran C-07955

Garcia D-00236

Lewis W-17835

Lollis W-18963

Lusk W-18231

Macioce W-22468

Miller C-40123

Puzio C-39576

Santo C-67776

Simmons C-15316

Sires D-07494

Yarbrough C-58618

1995

Total number of life parole consideration hearings: 2123

Initial hearings: 397
Subsequent hearings: 1726

Proposed suitability decisions: 9

Cobb C-86718
Damazo C-27664
DuBose C-69055
Garcia D-00236
Jackson C-12224
Lusk W-18231
Martinez C-89969
Mendoza C-54559
Moreno D-13445

Proposed suitability decisions made effective: 5

Cobb C-86718
Damazo C-27664
DuBose C-69055
Martinez C-89969
Moreno D-13445

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Cobb C-86718
DuBose C-69055
Martinez C-89969
Moreno D-13445

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Campbell C-79105
Clemente C-06076
Damazo C-27664
Davis B-79497
Fischer C-85124
Garrett D-13405
Kim, D. D-52181
Kim, Y. D-52185

363

1995, continued

Decisions forwarded to Governor pursuant to Penal Code section 3041.1: (continued)

Miller C-40123

Morris C-14718

Ramos C-74450

Smith W-15143

Reversed by Governor: 2

Moreno D-13445

Vasquez C-17349

Referred en banc to BPT by Governor: 7

Clemente C-06076**

Garnett D-13405**

Guerrero C-47910*

Kim, D. D-52181*

Kim, Y. D-52185*

Ramos C-74450*

Smith W-15143*

Modified by Governor (parole date kept, conditions altered):: 0

No action taken by Governor (i.e., parole date left undisturbed): 8

Campbell C-79105

Cobb C-86718

Damazo C-27664

Davis B-79497

DuBose C-69055

Fischer C-85124

Martinez C-89969

Morris C-14718

* BPT en banc: Schedule a rescission hearing; date rescinded

**BPT en banc: Schedule a rescission hearing; Date affirmed; released

1994

Total number of life parole consideration hearings: 1963

Initial hearings: 328
Subsequent hearings: 1635

Proposed suitability decisions: 16

Angulo E-46812
 Aris W-28867
 Gibson C-27414
 Kim, D. D-52181
 Kim, Y. D-52185
 Lewis W-17835
 Liu D-64422
 McClendon C-55324
 Minor C-25542
 Owen C-63676
 Peralo D-06447
 Pham C-63503
 Reilly C-89603
 Tillman C-04085
 Vasquez C-17349
 Williams C-18101

Proposed suitability decisions made effective: 9

Aris W-28867
 Kim, D. D-52181
 Kim, Y. D-52185
 Lawrence W-19366
 Lewis W-17835
 Pham C-63503
 Reilly C-89603
 Tillman C-04085
 Vasquez C-17349

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Aris W-28867
 Lawrence W-19366
 Lewis W-17835
 Pham C-63503
 Reilly C-89603

1994, continued

Decisions forwarded to Governor pursuant to Penal Code section 3041.2: (continued)

Tillman C-04085

Vasquez C-17349

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Cochran C-07955

Ellison C-49672

Guerrero C-47910

O'Connell C-47331

Puzio C-39576

Rodriguez C-66666

Santistevan C-42657

Reversed by Governor: 1

Lawrence W-19366

Referred en banc to BPT by Governor: 3

Murr B-87723*

O'Connell C-47331*

Rodriguez C-66666*

Modified by Governor (parole date kept, conditions altered): 0

No action taken by Governor (i.e., parole date left undisturbed): 8

Aris W-28867

Ellison C-49672

Gallegos W-14786

Lewis W-17835

Pham C-63503

Santistevan C-42657

Sires D-07494

Tillman C-04085

*BPT en banc: Schedule a rescission hearing; Date rescinded

1993

Total number of life parole consideration hearings: 1614

Initial hearings: 355
Subsequent hearings: 1259

Proposed suitability decisions: 21

Casey C-05591
Cazares C-47416
Clark C-42792
Ellison C-49672
Gallegos W-14786
Garnett D-13405
Godinez C-93070
Gray C-30549
Jackson C-12224
Lawrence W-19366
Lusk W-18231
Martinez C-61422
Miller C-40123
Sanders C-57120
Santo C-67776
Simmons C-17460
Sires D-07494
Soto C-89195
Torres C-42806
Walker C-64776
Watkins C-59172

Proposed suitability decisions made effective: 14

Cazares C-47416
Ellison C-49672
Gallegos W-14786
Garnett D-13405
Gray C-30549
Jackson C-12224
Lusk W-18231
Miller C-40123
Morrall C-69912
Santo C-67776
Sires D-07494

1993, continued

Proposed suitability decisions made effective: (continued)

Soto C-89195
Torres C-42806
Walker C-64776

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Cazares C-47416
Gallegos W-14786
Gray C-30549
Jackson C-12224
Lusk W-18231
Miller C-40123
Sires D-07494
Soto C-89195
Torres C-42806

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Ayers C-22658
Camacho C-36929
Dayan C-24446
Figueroa C-18047
Gallegos W-14786
Hernandez C-03015
Hill C-14256
Johnson C-46160
Leanos C-10743
Lewis B-91616
Lytle C-04775
Mahone C-11353
Murr B-87723
Navarro C-10016
Pearson C-38254
Richardson C-68903
Rodriguez C-58188
Rodriguez C-66666
Rodriguez C-29915
Rosses W-12329
Timoteo C-25252
Tong C-33662
Walker C-64776

1993, continued

Reversed by Governor: 3

Jackson C-12224
Lusk W-18231
Soto C-89195

Referred en banc to BPT by Governor: 5

Dayan C-24446**
Figueroa C-18047*
Hernandez C-03015*
Rosses W-12329*
Tong C-33662***

Modified by Governor (parole date kept, conditions altered): 1

Gallegos W-14786

No action taken by Governor (i.e., parole date left undisturbed): 15

Ayers C-22658
Camacho C-36929
Cazares C-47416
Gray C-30549
Hill C-14256
Johnson C-46160
Lytle C-04775
Miller C-40123
Navarro C-10016
Pearson C-38254
Richardson C-68903
Rodriguez C-58188
Rodriguez C-29915
Timoteo C-25252
Torres C-42806

* BPT en banc: Schedule a rescission hearing; Date rescinded
** BPT en banc: Affirmed release date; Released
***BPT en banc: Schedule rescission hearing; Date affirmed; Released

1992

Total number of life parole consideration hearings: 1739

Initial hearings: 312
Subsequent hearings: 1739

Proposed suitability decisions: 27

Ballard C-15996
Betancourt C-24292
Chavez C-20706
Chavez C-20706
Fahey B-70938
Ferrier C-20882
Johnson C-46160
Kopp C-53698
Lang B-60960
Laundry C-28801
Lollis W-18963
McIntosh C-51644
Moreno D-13445
Morris C-14718
Pfof C-35985
Portune B-81309
Portune B-81309
Riel C-94314
Roberts B-86717
Robinson C-36789
Rodriguez C-34857
Rodriguez C-58188
Simmons C-15316
Stevens C-4412
Taylor B-70421
Waiwaiole C-57545
Williams W-16357

Proposed suitability decisions made effective: 16

Ballard C-15996
Betancourt C-24292
Connelly C-72297
Fahey B-70938
Ferrier C-20882

1992, continued

Proposed suitability decisions made effective: (continued)

Johnson C-46160
Kopp C-53698
Lollis W-18963
Morris C-14718
Pfof C-35985
Robinson C-36789
Rodriguez C-58188
Rodriguez C-34857
Stevens C-44412
Sylve C-77097
Waiwaiole C-57545

Decisions forwarded to Governor pursuant to Penal Code section 3041.2:

Connelly C-72297
Johnson C-46160
Lollis W-18963
Morris C-14718
Pfof C-35985
Robinson C-36789
Rodriguez C-34857
Stevens C-44412
Sylve C-77097
Waiwaiole C-57545

Decisions forwarded to Governor pursuant to Penal Code section 3041.1:

Astorga-Murga C-14352
Betancourt C-24292
Butts B-69675
Cobos B-28337
Gasaway C-26528
Gonzales C-99928
Grisso C-02892
Johnson B-29806
Lovelace C-10437
O'Hare C-53803
Rowland C-02186
Shelton W-13679

1992, continued

Reversed by Governor: 2

Pfost C-35985
Stevens C-44412

Referred en banc to BPT by Governor: 3

Butts B-69675*
Cobos B-28337*
Grisso C-02892*

Modified by Governor (parole date kept, conditions altered): 1

Gasaway C-26528

No action taken by Governor (i.e., parole date left undisturbed): 16

Astorga-Murga C-14352
Betancourt C-24292
Connelly C-72297
Gonzales C-99928
Johnson B-29806
Johnson C-46160
Lollis W-18963
Lovelace C-10437
Morris C-14718
O'Hare C-53803
Robinson C-36789
Rodriguez C-34857
Rowland C-02186
Shelton W-13679
Sylve C-77097
Waiwaiole C-57545

* BPT en banc: Schedule a rescission hearing; Date rescinded

1991

Total number of life parole consideration hearings:

1726

Initial hearings: 306**Subsequent hearings:** 1420**Proposed suitability decisions made effective:**

54

Arafiles B-91462
Ayers C-22658
Barron C-33124
Brown B-83501
Bruce B-78908
Brydon B-98959
Burdick B-82439
Camacho C-36929
Cecil W-13639
Chandler D-07980
Cochran C-07955
Connelly C-72297
Connelly C-72297
Danowski B-81055
Dumas B-31225
Fahey B-70938
Fischer C-85124
Gaunce B-90043
Garcia B-93485
Garfield C-05782
Gonzales C-99928
Gonzalez C-65413
Hamilton C-15869
Ignacio C-51235
Jefferson B-99662
Johnson B-88644
Macias B-76767
Mahone C-11353
Maynard C-08737
Murr B-87723
Ortiz C-21046
Osbon C-17661
Portune B-81309
Portune B-81309
Puzio C-39576

1991, continued

Proposed suitability decisions made effective: (continued)

Ramos C-74450
Remeidio C-29967
Robinson C-36789
Rodriguez C-66666
Santistevan C-42657
Schleuter C-15115
Scott B-74497
Sharif-Zada C-75928
Smith C-18727
Stanton C-56482
Sylve C-77097
Vargas B-35042
Veal C-43834
Weir C-68889
Whitespear C-42366
Winrow B-96744
Woo C-14883
Yarbrough C-58618
Yore B-85447

Reversed by Governor: 6

Arafiles B-91462
Jefferson B-99662
Johnson B-88644
Vargas B-35042
Veal C-43834
Whitespear C-42366

Referred en banc to BPT by Governor: 4

Bratton B-64574*
Johnson B-25186*
Sturges B-51495*
Van Norman B-53539*

Modified by Governor (parole date kept, conditions altered): 3

Fischer C-85124
Hewitt B-77844
Ignacio C-51235

* BPT en banc: Schedule a rescission hearing; Date rescinded